



**Post Office Box 9010 Addison, Texas
75001-9010
5300 Belt Line Road
(972) 450-7000 Fax: (972) 450-7043**

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

AND / OR

WORK SESSION OF THE CITY COUNCIL

6:00 PM

April 14, 2015

ADDISON TOWN HALL

5300 BELT LINE RD., DALLAS, TX 75254

6:00PM WORK SESSION

7:30PM REGULAR MEETING

WORK SESSION

WS1 Discussion regarding Addison's recognition and naming policy for town parks, trails, or facilities.

REGULAR MEETING

Pledge of Allegiance

R1 Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

Consent Agenda.

R2a Approval of the Minutes for the March 24, 2015 City Council Meeting and Work Session and March 28, 2015 City Council Meeting and Work Session.

R2b Approval of a modified Scope of Services Agreement with the World Affairs Council that changes the term of the agreement from October 1, 2014 through September 30, 2015 to January 1, 2015 through September 30, 2015.

R2c Approval of Ordinance No. O14-056 changing the zoning on property located at 14300 Dallas Parkway (Tollway Center) from a Planned Development District created by Ordinance No. O85-001 to a new Planned Development District for approximately 200,000 square feet of office uses and an approved site plan.

R2d Approval of Ordinance No. O14-051 changing the zoning on property located at 5100 Belt Line Road, Suite 500, (Lazy Dog) which property is currently zoned PD, Planned Development, through Ordinance O12-001, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only.

R2e Approval of Ordinance No. O14-028 changing the zoning on property located at 15103 Surveyor Boulevard (Bitter Sisters Brewing Company), which property is currently zoned I-1, Industrial-1, by authorizing for that property a Special Use Permit for a microbrewery and a Special Use Permit for the sale of alcoholic beverages, limited to beer only, for on-premises consumption only, subject to no conditions.

R2f Approval of Ordinance No. O14-026 changing the zoning on property located at 4900 Edwin Lewis (Hyatt House) by amending Planned Development District O94-076 in order to add restaurants, the sale of beer and wine for off-premises consumption, and the sale of alcoholic beverages for on-premises consumption only as uses that may be authorized upon the issuance of a special use permit.

R2g Approval of Ordinance No. O14-060 changing the zoning on property located at 4900 Edwin Lewis (Hyatt House) by amending Planned Development District O94-076 by approving a special use permit for a restaurant, a special use permit for the sale of beer and wine for off-premises consumption, and a special use permit for the sale of alcoholic beverages for on-premises consumption only.

Regular Items

R3 Presentation and proclamation recognizing the National Volunteer Week.

R4 Presentation and discussion regarding an update on the search for city manager.

R5 Discussion, consider and take action regarding a resolution approving an agreement with Strategic Government Resources (SGR) to conduct a search for the interim city manager.

R6 **Public Hearing** Case 1711-SUP/The Hub Sports Grill. Public hearing, discuss, consider and take action regarding ordinance approving a Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, a Special Use Permit for a billiard parlor, and a Special Use Permit for an arcade, on the property located at 4145 Belt Line Road Suite 200, on application from the Hub Sports Grill, represented by Mr. Kyle Hidell.

- R7 Present, discuss, consider and take action regarding an ordinance providing for a Meritorious Exception to the detached sign requirements in Chapter 62 Section 62-182 by allowing for an off-premises monument sign on application from MS Sub Belt Line, LLC represented by Mr. George Watson.

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- R8 Discuss, consider and take action regarding appointment of a Member to the Planning and Zoning Commission.
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Executive Session

- ES1 Closed (executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to seek the advice of its attorney(s) regarding pending litigation: Town of Addison, Texas v. ProAir Developments, L.P., Cause No. DC-13-15164, 14th Judicial District, Dallas County, Texas and anticipated litigation, Hunse v. Town of Addison, et. al.

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- ES2 Closed (Executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: 1) a shopping center lease in which the Town is the tenant at Village on the Parkway; 2) a sublease in which the Town is the sub-landlord to the Craft Guild of Dallas at Village on the Parkway; and pursuant to Section 551.071, Tex. Gov. Code, to deliberate the said lease of real property.
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Reconvene from Executive Session

- R9 **RECONVENE INTO REGULAR SESSION:** In accordance with Texas Government Code, Section 551.001, *et seq.*, the City Council will reconvene into Regular Session to take any action necessary regarding the following:

a) In accordance with Texas Government Code, Section 551.071, consultation with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly

conflicts with the Texas Open Meetings Act: (1) pending litigation: Town of Addison, Texas v. ProAir Developments, L.P., Cause No. DC-13-15164, 14th Judicial District, Dallas County, Texas; and anticipated litigation Hunse v. Town of Addison, et. al.

b) In accordance with Texas Government Code, Section 551.071, consultation with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: 1) a shopping center lease in which the Town is the tenant at Village on the Parkway; 2) a sublease in which the Town is the sub-landlord to the Craft Guild of Dallas at Village on the Parkway; and pursuant to Section 551.071, Tex. Gov. Code, to deliberate the said lease of real property.

Adjourn Meeting

NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

Posted:
Chelsea Gonzalez, April 10, 2015, 5:00pm

**THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS WITH DISABILITIES.
PLEASE CALL (972) 450-7090 AT LEAST
48 HOURS IN ADVANCE IF YOU NEED ASSISTANCE.**

AI-1048

WS1

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: Council

Council Goals: Create raving fans of the Addison Experience.

AGENDA CAPTION:

Discussion regarding Addison's recognition and naming policy for town parks, trails, or facilities.

BACKGROUND:

Please see attached memo and documents.

RECOMMENDATION:

This item is for discussion purposes only.

Attachments

Memo

Addison Naming Resolution

Addison Cares Draft Naming Policy

Letter from Tom Lamberth--naming of Vitruvian



Memo

To: Honorable Mayor and Council
Cheryl Delaney, Acting City Manager
From: Rob Bourestom, Manager Special Projects
Date: April 9, 2015
Re: WS 1 Documents

In preparation for the discussion on the Addison naming policy I have included several documents that will help from a background perspective.

The first document is the existing Addison Naming Resolution we currently have in place.

The second document is the *Municipal Naming Policy*, Town of Addison, Draft 3/3/2013. As you may recall, this document was developed by the Addison Cares Committee. This document was a draft policy that was presented to the Council with no further action taken.

The final document is a letter from Tom Lambreth suggesting a naming opportunity at a location at Vitruvian.

The discussion at the work session will center around the existing Naming Policy we have in place and if Council would like to make any amendments to the policy.

**TOWN OF ADDISON, TEXAS
RESOLUTION NO. R07-019**

**A RESOLUTION BY THE CITY COUNCIL OF THE TOWN OF
ADDISON, TEXAS, PROPOSING GUIDELINES AND POLICIES
FOR THE NAMING OF PARKS, TRAILS AND FACILITIES.**

WHEREAS, when naming a park, trail, or facility after a person, at least one of the following stipulations should be met:

- a) The person has donated the land to be used, has provided significant contributions to acquire the land, or has sold the land to the Town at a price significantly below market value.
- b) The person has provided significant contributions to the cost of construction of the park, trail or facility, or has provided construction services at a price significantly below market value.
- c) The person has made significant and consistent long-term contributions to the Town of Addison.
- d) The person shall not have been an employee or councilmember/Mayor of the Town of Addison for at least five years.

WHEREAS, when appropriate, parks, trails, and facilities can be named after predominant geographical or physical features of the land. These may include natural features (rivers, trees, etc.) or man-made features (subdivisions, buildings, etc).

WHEREAS, parks and trails may be named after historical events that are specific to the Town of Addison.

WHEREAS, the Council will consider re-naming existing facilities. However, the motion to rename an existing park, trail, or facility must be approved by a 3/4th vote of the entire Council (e.g., if all members of the Council are eligible to vote, approval would require 6 out of 7 votes).

WHEREAS, different sections of parks and facilities may carry names that differ from that of the overall park or facility. This may include the naming of individual items in a park or facility (such as a meeting room). However, the above guidelines shall still apply in choosing a name.

WHEREAS, any citizen, group of citizens, entity or organization may submit a proposal to name a facility after an individual, group of individuals, or community organization to honor and recognize significant contributions to the community through public service, community volunteerism or outstanding achievement. The contributions of the individuals or group must be well-documented and broadly acknowledged within the community. If possible, written permission and agreement must be obtained from the individual, group or organization who or which is being commemorated.

WHEREAS, the guidelines listed above are guidelines only. Meeting any or all of the above guidelines does not guarantee that a park or facility will carry any certain name. Ultimately, all naming decisions are to be made by the Addison City Council, which may make exceptions to these guidelines when it deems appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

THAT, the City Council does hereby authorize the Proposed Guidelines and Policies for the naming of Parks, Trails and Facilities.


DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS this the 25th day of September, 2007.

ATTEST:


Mario Canizares, City Secretary


Joe Chow, Mayor

APPROVED AS TO FORM;


John Hill, City Attorney

Municipal Naming Policy

Town of Addison

DRAFT 3/6/2013

I. PURPOSE:

To establish a uniform policy regarding requests for the naming or renaming of Town-owned land and facilities including parks, airport facilities, recreation facilities, buildings, streets, and the designation of commemorative street names and plaques, that are compatible with community interest and will enhance the values and heritage of the Town of Addison.

II. GENERAL :

- A. This policy shall establish the guidelines, criteria and process for naming or renaming of Town-owned facilities.
- B. The City Council shall have the final authority to name and rename Airport, parks, recreational facilities, Town-owned buildings, streets and to designate commemorative street names and plaques.
- C. Under extraordinary circumstances that would cast a negative image upon the Town, any naming of Town-owned facilities in honor of an individual, family or group may be revoked at the discretion of the City Council.
- D. The names of individuals or corporations or groups involved in controversial enterprises or activities, such as those that would be detrimental to the mission or image of the Town of Addison should be avoided.
- E. The donation of land, facilities, or funds for the acquisition, renovation or maintenance of land or facilities, shall not constitute an obligation by the Town to name the land and/or facility or any portion thereof after an individual, family or organization.
- F. Existing names are deemed to have historic recognition. It is the Town of Addison's policy to keep the name of any existing park, Town-owned buildings, or recreational facility, particularly one whose name has Town or regional significance, unless there are compelling reasons to consider such a change; after a thorough study and a unanimous vote of the City Council. Furthermore, the Town will consider renaming to commemorate a person or persons, posthumously, only when the person or persons have made a major, overriding contribution to the Town and whose distinctions are as yet unrecognized.
- G. It is the intent of this policy to prohibit, except under extraordinary circumstance with a super majority vote (6 to 1) of the City Council and a required minimum of 2/3 of the affected property owners' written approval, the changing of street names that have existing homes or businesses using the street name in their address, or streets which connect with adjacent jurisdictions.

- H. Street naming and renaming shall be made by City Council resolution or as a result of an approval and recordation of a subdivision map.
- I. All costs including staff time, labor and materials associated with the installation of plaques, monuments and/or replacement of signs resulting from this policy will be borne by the individual, group or organization sponsoring the request.

III. NAMING CRITERIA

A. PARKS, TOWN-OWNED BUILDINGS AND RECREATIONAL FACILITIES:

1. Naming shall begin early in the development and/or acquisition as possible.
2. Names should be appropriate to the park, Town-owned building, or recreational facility by reflecting the native wildlife, history, flora, fauna, geographic area, or natural geologic features related to the Community of Addison.
3. Names can be from significant historical events, cultural attributes, a local landmark or for a historical figure.
4. Areas that can be recognized include: Points of entry, walkways, trails, room or patio within a Town-owned building, recreational facilities such as group picnic areas, and physical features.
5. Names which reflect the Town's ethnic and cultural diversity are encouraged. Signage shall be in English.
6. Commemorative names honoring individuals or families should be based on the following criteria:
 - made lasting and significant contributions to the protection of natural or cultural resources of the Town of Addison;
 - made substantial contributions to the betterment of a specific facility or park consistent with the established standards for the facility;
 - made substantial contributions to the advancement of commensurate types of recreational opportunities with the Town of Addison;
 - be associated to an economic development or redevelopment activity;
 - had a positive impact on the lives of Addison's residents;
 - has volunteered for ten (10) or more years of service to the community;

B. STREETS:

1. Names shall be unique, easily discernible, and simple to pronounce for public safety consideration. Similar sounding or duplicate street names shall not be considered.
2. Street names may recognize native wildlife, flora, fauna or natural geologic features related to the community and the Town of Addison.
3. Street names shall not contain more than 18-letter characters, including any combinations of spaces, or letters, designations in the base portion of the name.
4. Cumbersome, corrupted or modified names, discriminatory or derogatory names, from the point of view of race, sex, color, creed, ethnicity, religious affiliation, political affiliation or other social factors are not acceptable.
5. Names for public and private streets in a new subdivision shall be proposed by the developer, reviewed by the Planning Commission, approved by the City Council. The street names are adopted by the Town when the final subdivision map for the development is recorded.

C. COMMEMORATIVE STREETS NAMES AND PLAQUES:

1. Commemorative street name signs are additions to the street name and will not change the street address. Existing street name shall be retained and a supplemental sign or plaques shall be installed. Commemorative street name signs shall consider the same criteria for naming of streets.
2. Commemorative plaques shall be placed in common areas within the Town of Addison. In recognition of individuals that should be honored for their accomplishments and contribution to the Town, a community COLUMN OF HONOR, COLUMN OF HONOR, OR WALK OF HONOR (placeholder names) is to be established at (locations to be determined at Town Hall or existing Park such as Addison Circle). The COLUMN/WALL/WALK OF HONOR will be a permanent honor, consisting of a marker describing the honorees accomplishments, placed on a bronze plaque. Recognition will be made either at a City Council Meeting or at a special ceremony at the COLUMN/WALL/WALK OF HONOR. The applicant or sponsoring group/organization will be responsible for the cost of the plaque. If a special recognition ceremony is requested, the applicant may be charged for the cost.
3. Criteria for commemorative street names and plaques are as follows:

- a. Names honoring deceased individuals, groups, or families should be based on one or more of the following criteria:
 - i. made lasting and significant contributions to the protection of natural or cultural resources of the Town of Addison;
 - ii. made substantial contributions to the betterment of the Town of Addison which has positively impacted the lives of citizens of the Town of Addison,
 - iii. be associated to an economic development or redevelopment activity in fulfillment of the Town's mission;
 - iv. commemorates a significant historical event;
 - v. contributed outstanding civic service to the Town for a minimum period of ten (10) years;

- b. Names of living persons shall be considered only under one or more of the following circumstances:
 - i. The honoree contributed 50% or more of the cost of a major facility;
 - 1. A contribution is not required to be monetary (example: land or building)
 - ii. The honoree initiated or contributed major time to the establishment of the Town project;
 - iii. The overwhelming belief (public opinion) that the honoree would be likely be honored for that facility posthumously;
 - iv. No other individual now living has, or is likely to have, greater public support for being honored;
 - v. The honoree has given extraordinary service to the Town and to the community;
 - vi. The honoree has attained national or international prominence and achievement.

- c. Naming after an individual who has served as a Town Official or as a Town employee shall occur after the person has separated from Town service and should be based on one or more of the following criteria:
 - i. Made contribution over and above the normal duties required by their positions.
 - ii. Had a positive impact on the past and future development of programs, projects, or facilities in the Town of Addison.
 - iii. Made significant volunteer contributions to the community outside the scope of their job.
 - iv. Had exceptionally long tenure with the Town of Addison; a minimum of ten (10) years.
 - v. Significant public support for a memorial to the Town official or Town employee on the occasion of their death or retirement.

IV. NAMING PROCEDURE

- A. A request shall be submitted in writing on the standard application form. Fees associated with administration (amounts to be determined by Town staff) and hard costs for the sign or plaque placement will be at the expense of the applicant, such as sign procurement and installation costs. An application fee has been established and will be based on the most current adopted Town's Fees & Charges Schedule. The payment of the application fee is required at time of application submission.
- B. The applicant shall be able to provide clear evidence that the individual to be honored has made a significant contribution to the economic vitality and/or quality of life in the Addison community.
- C. The application will be reviewed for completeness based upon the naming criteria by Town of Addison staff (City Manager's Designee). All recommendations or suggestions will be given the same consideration without regard to the nomination source.
- D. Completed applications will be forwarded concurrently for review to the City Council at a regularly scheduled meeting within a sixty (60) day period.
- E. Notice of intent to name a park, recreational facility, Town-owned building, or commemorative naming of a street shall be posted in public places and published in the Town's paper of record during the same 60-day review period of the Town's Commissions. (Assuming there is a legal requirement for public hearing... if not, then recommend deletion)
- F. After the 60-day review and public comments period, the request will be placed in the agenda for the next regularly scheduled City Council Meeting as a noticed public hearing for the City Council's consideration.



Opening doors to the future™

March 12, 2015

The Honorable Todd Meier
Mayor of the Town of Addison
5300 Belt Line Road
Dallas, Texas 75254

Dear Mayor Meier:

As we have discussed, I would like to do something in Vitruvian Park in memory of Carmen Moran.

To state the obvious, I do not feel the Vitruvian Park development would be what it is today and what it will be in the future without Carmen's leadership. Her vast urban development experience, her ability to solve problems, her knack for managing big pictures concepts while tending to smaller details, and her overall fair mindedness were all critical to what has become Vitruvian Park. While my experience with Carmen was related to our development, I know she had a similar impact on other developments across Addison.

I also know that Carmen was a respected leader with the employees of the Town and with the various Council and committee members she worked with in her many years of service. In my 33 years of experience, I can tell you that not every town has the good fortune of having a Carmen on the team. She was a rare find.

I have read Resolution No. R07-019 that serves as a guide for the naming of parks, trails, and facilities. I highlight two recitals that should be noted. In the first recital, the last bullet states that:

- The person shall not have been an employee or council member/Mayor of the Town of Addison for at five years.

However, the last recital in the Recital states that:

- WHEREAS, the guidelines listed above are guidelines only. Meeting any or all of the above guidelines does not guarantee that a park or facility will carry any certain name. Ultimately, all naming decisions are to be made by the Addison City Council, which may make exceptions to these guidelines when it deems appropriate.

Therefore, I would like to recommend we name the area of Vitruvian Park around the amphitheater in honor of Carmen Moran. As the construction of the redesigned amphitheater is completed, I believe the timing is good for this type of dedication.

Thank you in advance for your consideration of this request.

Sincerely,

Thomas E. Lamberth

Vitruvian Park
3875 Ponte Avenue, Suite 400
Addison, Texas 75002
Tel: 972-774-0552
Fax: 972-866-0163
www.udr.com

AI-1053

R2a

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: City Manager

Council Goals: N/A

AGENDA CAPTION:

Approval of the Minutes for the March 24, 2015 City Council Meeting and Work Session and March 28, 2015 City Council Meeting and Work Session.

BACKGROUND:

N/A

RECOMMENDATION:

Administration recommends approval.

Attachments

03-24-2015 Minutes

03-28-2015 Minutes

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION

March 24, 2015

6:00 PM

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

6:00 PM Work Session I 7:30 PM Regular Meeting

Present: Arfsten; Carpenter; Clemens; DeFrancisco; Heape; Mayor Meier; Moore

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL REGULAR MEETING

March 24, 2015

6:00 PM

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

6:00 PM Work Session I 7:30 PM Regular Agenda

Posted by: Chelsea Gonzalez, March 20, 2015, 5:00pm

WORK SESSION

WS1 Discussion regarding the Town of Addison's new website and application.

RECOMMENDATION:

This item is for discussion purposes only.

REGULAR MEETING

Pledge of Allegiance

Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

Consent Agenda.

-
- R2a Approval of the Minutes for the March 10, 2015 City Council Meeting and Work Session.

RECOMMENDATION:

Administration recommends approval.

Mayor Meier pulled item R2a to amend the minutes to clarify no action was taken on item R3 and to amend the motion for item R8 to state, "to encourage the developers of the Sam's Club Site to explore a mixed use development with a retail component and that maximizes residential fee simple ownership."

Motion made by Mayor Meier to approve the amended minutes,
Seconded by Clemens

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Mayor Meier, Moore

Passed

-
- R2b Approval of a contract in the amount of \$185,000 for services with DCO Realty, Inc. for Addison's co-sponsorship of events held in Vitruvian Park in Fiscal Year 2015, subject to the final review and approval of the City Manager and City Attorney.

RECOMMENDATION:

Administration recommends approval.

Motion made by Clemens to approve, as submitted,
Seconded by Moore

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Mayor Meier, Moore

Passed

- R2c Approval of and authorizing the City Manager to enter into an easement agreement with WS MQ Quorum, LLC for their property located along Quorum Drive and identified through the attached exhibits.

RECOMMENDATION:

Administration recommends approval.

Motion made by Clemens to approve, as submitted,

Seconded by Moore

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Mayor Meier, Moore

Passed

-
- R2d Approval of and authorizing the City Manager to execute a purchase agreement for a Utility and Sidewalk easement at 3711 Belt Line Road in the amount of \$30,000.

RECOMMENDATION:

Administration recommends approval.

Motion made by Clemens to approve, as submitted,

Seconded by Moore

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Mayor Meier, Moore

Passed

-
- R2e REPLAT/Inwood West Lots 1A and 1B. Consider and take action regarding a replat for two lots totaling 2.751 acres located generally at the 14825 Inwood Road, on application from 14885 Inwood Road, LLC, represented by Ms. Rose Meza.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on March 17, 2015, voted to recommend approval of a replat for two lots totaling 2.751 acres located generally at the 14825 Inwood Road, subject to no conditions:

Voting Aye: Groce, Morgan, Oliver, Robbins, Robinson, Smith,
Wheeler

Voting Nay: none

Absent: none

RECOMMENDATION:

Administration recommends approval.

Motion made by Clemens to approve, as submitted,

Seconded by Moore

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Mayor Meier, Moore

Passed

Motion made by Clemens to approve, as submitted,

Seconded by Moore

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Mayor Meier, Moore

Passed

R2f REPLAT/Beltway Quorum Addition Lots 3A1 and 4A, Block A.
Consider and take action regarding a replat for two lots totaling
4.5442 acres located generally at the northeast corner of Belt line
Road and Addison Road, on application from Magnolia Lodging
Development, represented by Mr. John Reiersen.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular
session on March 17, 2015, voted to recommend approval of a replat
for two lots totaling 4.5442 acres located generally at the northeast
corner of Belt line Road and Addison Road, subject to no conditions:

Voting Aye: Groce, Morgan, Oliver, Robbins, Robinson, Smith,
Wheeler

Voting Nay: none

Absent: none

RECOMMENDATION:

Administration recommends approval.

Motion made by Clemens to approve, as submitted,

Seconded by Moore

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Mayor Meier, Moore

Passed

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- R2g Approval of an ordinance abandoning a portion of an ingress/egress, drainage and utility easement within the property located at 4875 Belt Line Road.

RECOMMENDATION:

Administration recommends approval.

Motion made by Clemens to approve, as submitted,
Seconded by Moore

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Mayor Meier, Moore

Passed

Regular Items

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- R3 Discuss, consider and take action regarding the appointment of a member to the Board of Zoning Adjustment.

Mayor Meier recommended the appointment of Jeff King to the Board of Zoning Adjustment.

Motion made by Mayor Meier
Seconded by Moore

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Mayor Meier, Moore

Passed

-
- R4 Discuss, consider and take action regarding appointment of a Member to the Planning and Zoning Commission.

Council Member Heape recommended the appointment of Jason Ennis to the Planning and Zoning Commission.

Motion made by Heape
Seconded by Moore

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Mayor Meier, Moore

Passed

-
- R5 Presentation and discussion regarding the Dallas Independent School District's Comprehensive Plan.

Dallas Independent School District's representatives Michael Koprowski and Elizabeth Jones spoke regarding this item.

There was no action taken on this item.

-
- R6 Present, discuss, consider and take action on a resolution regarding a policy for housing in Addison.

Charles Goff, Assistant Director of Development Services, and Brenda McDonald, City Attorney, spoke regarding this item.

Motion made by Arfsten to approve, as submitted,
Seconded by DeFrancisco

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Mayor Meier, Moore

Passed

-
- R7 Discuss, consider and take action regarding a resolution approving a governing policy for the Community Partners Bureau.

RECOMMENDATION:
Administration recommends approval.

Motion made by Arfsten to approve, as submitted,
Seconded by Clemens

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Mayor Meier, Moore

Passed

Executive Session

- ES1 Closed (Executive) session of the Addison City Council pursuant to Section 551.087, Texas Government Code, to discuss or deliberate regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or to deliberate the offer of a financial or other incentive to such business prospect or business prospects.

The City Council entered executive session at 8:28 pm.

The City Council closed executive session at 9:01 pm.

-
- ES2 Closed (Executive) Session of the Addison City Council in accordance with Texas Government Code, Section 551.074 (Personnel)- City Manager.

Lea Dunn, City Manager, requested that this item be held in open session.

The City Council convened into closed session in accordance with Section 551.071 of the Texas Government Local Code to consult with the City Attorney regarding agenda item ES2.

The City Council entered into executive session at 9:13 pm.

The City Council closed executive session at 10:16 pm.

Motion made by Mayor Meier to accept the City Manager's resignation, effectively immediately, in accordance with her email to the City Attorney dated March 20th,

Seconded by Clemens

Voting AYE: Carpenter, Clemens, Heape, Mayor Meier, Moore

NAY: Arfsten, DeFrancisco

Passed

Regular Items Continued

- R8 Discuss, consider, and take action regarding a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or regarding the offer of a financial or other incentive to such business prospect or business prospects.

RECOMMENDATION:

Administration will be prepared for a recommendation to discuss with Council.

Motion made by Clemens to approve, as discussed in Executive Session item ES1,

Seconded by DeFrancisco

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape, Mayor Meier, Moore

Passed

Adjourn Meeting

NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

Mayor-Todd Meier

Attest:

City Secretary-Chelsea Gonzalez

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION

March 28, 2015

1:15 PM

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

Present: Arfsten; Carpenter; Clemens; DeFrancisco; Heape; Meier, Mayor; Moore

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL SPECIAL MEETING

March 28, 2015

1:15 PM

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

Posted by: Chelsea Gonzalez, March 25, 2015, 1:15 PM

EXECUTIVE SESSION

-
- ES1 Closed (executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to consult with the City's attorney(s) on a matter in which the duty of the attorney(s) to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, pertaining to the resignation of the City Manager and related matters.

The City Council entered executive session at 1:18 pm.

The City Council closed executive session at 3:44 pm.

-
- ES2 Closed (executive) session of the Addison City Council pursuant to Tex. Gov. Code Section 551.074 (Personnel), to deliberate the appointment or employment of an Interim City Manager.

The City Council entered executive session at 1:18 pm.
The City Council closed executive session at 3:44 pm.

RECONVENE FROM EXECUTIVE SESSION

S1 **RECONVENE INTO REGULAR SESSION:** In accordance with Texas Government Code, Section 551.001, *et seq.*, the City Council will reconvene into Regular Session to take any action necessary regarding the following:

a) In accordance with Texas Government Code, Section 551.071, consultation with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: (1) resignation of the City Manager and related matters.

b) In accordance with Texas Government Code, Section 551.074 (Personnel) – the appointment or employment of an Interim City Manager.

S2 Discuss, consider and take action on a resolution approving a separation agreement with Lea Dunn.

Motion made by Mayor Meier to approve, the agreement as outlined in item S2,

Seconded by DeFrancisco

AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape, Mayor Meier, Moore

Passed

S3 Discuss, consider and take action regarding appointment of an interim city manager.

City Council action on Item S3 was combined in the motion taken after discussion on Item S4.

- S4 Discuss, consider and take action regarding the process to select a new city manager.

Motion made by Mayor Meier to appoint Mary Carpenter, David Heape, and himself as members of the committee research and develop candidates for Council's consideration for an interim city manager; and to appoint Bruce Arfsten, Blake Clemens, and Janelle Moore as members of the search committee for city manager; and to appoint Cheryl Delaney as acting city manager until the interim city manager is named.

Seconded by Moore

AYE: Arfsten, Carpenter, Clemens, Heape, Mayor Meier, Moore

NAY: DeFrancisco

Passed

Adjourn Meeting

NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

Mayor-Todd Meier

Attest:

City Secretary-Chelsea Gonzalez

AI-1047

R2b

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: Economic Development

Council Goals: Create raving fans of the Addison Experience.
Maintain and enhance our unique culture of creativity and innovation.
Attract new businesses to Addison

AGENDA CAPTION:

Approval of a modified Scope of Services Agreement with the World Affairs Council that changes the term of the agreement from October 1, 2014 through September 30, 2015 to January 1, 2015 through September 30, 2015.

BACKGROUND:

On December 8, 2014 City Council approved a Scope of Services Agreement with the World Affairs Council that would run from October 1, 2014 to September 30, 2015. In final agreement negotiations with the World Affairs Council, it was determined that the Town's previous agreement ran through December 31, 2014; so the FY 2015 agreement could not overlap with the previous year's agreement. In order to ensure that the FY 2015 agreement runs congruent with the Town's current Fiscal Year, it was determined that the dates of the agreement had to be modified to prevent overlap. This essentially means that this will be a 9-month agreement instead of a 12-month agreement to ensure that the termination of the agreement coincides with the Town's current Fiscal Year.

Modification of this agreement does not change the funding previously approved by City Council, or the scope of services that will be provided by the World Affairs Council as previously approved by City Council. The World Affairs Council has reviewed the modified agreement and is in support of the modifications proposed. The service agreement is in the amount of \$50,000 plus an additional allocation of \$10,000 managed by the World Affairs Council for reserving meeting space within Addison to ensure events are hosted in Addison as part of this agreement, and for marketing support to promote events hosted by the World Affairs Council as part of this Scope of Services Agreement. This funding was approved by City Council on December 8, 2014.

RECOMMENDATION:

Administration recommends approval.

Fiscal Impact

Budgeted Yes/No: Yes

Funding Source: Hotel Fund

Amount: \$60,000

Attachments

World Affairs Council Agreement

STATE OF TEXAS §
 § SCOPE OF SERVICES AGREEMENT
COUNTY OF DALLAS §

This Scope of Services Agreement (“Agreement”) is entered into by and between the Town of Addison, Texas (the “City” or “Addison”) and World Affairs Council of Dallas / Fort Worth (“World Affairs Council”) (the City and World Affairs Council are sometimes referred to herein together as the “parties” and individually as a “party”).

Recitals:

1. The City desires to expand its cultural and international trade efforts through its Economic Development & Tourism and Special Events Departments. Among other things, these efforts provide an opportunity to attract tourists to the City and educate the public on the many cultures that make up the North Texas region.
2. World Affairs Council is a non-profit corporation established under the laws of the State of Texas with a mission to promote international awareness, understanding and connections through its multifaceted programs. The Council works to enhance the region’s global stature and to prepare North Texans to thrive in our complex world.
3. Addison desires to retain the services of World Affairs Council, and World Affairs Council desires to provide its services to Addison, to enhance the City’s international focus, as set forth herein.

NOW, THEREFORE, for and consideration of the above and foregoing premises, the mutual covenants and obligations set forth herein, and other good and valuable consideration, the Town of Addison, Texas and World Affairs Council do contract and agree as follows:

1. **Term.** This Agreement shall be effective on January 1, 2015 (the “Effective Date”) and shall remain in effect through September 30, 2015 (the “Expiration Date”), subject, however, to the termination provisions of this Agreement.
2. **Services.** In connection with this Agreement, World Affairs Council will provide to the City the following non-exclusive services (“Services”):
 - A. International Business Development:
 - Assist Addison in strengthening its International Business Focus.
 - Work with Addison to maintain and strengthen its relationship with former Spotlight countries and forge new relationships with targeted countries.
 - Assist Addison to develop strategy on marketing its airport to international businesses.
 - Plan, organize, execute and co-host at least two (2) forums/luncheons in Addison with the Town of Addison focused on international business/tourism/trade during the funding year.

B. Entrepreneur Development:

- Recommend the Addison TreeHouse as a regional entrepreneur resource center to international entrepreneurs/groups interested in the North Texas Start-up Community.

C. Provide members of the Addison Council with opportunities to participate in international events:

- Make recommendations on events that may be appropriate for members of the Council to attend;
- Provide passes to Addison to such events (subject to the Charter and ordinances of Addison; and
- Recognize member of the City Council present at events from podium when appropriate.

D. Feature the Town of Addison as a participant:

- Recognize Addison as a participant in World Affairs Council website;
- Recognize Addison as a partner in designated events hosted by World Affairs Council, and
- Promote Fork & Cork and Oktoberfest to World Affairs Council members.

E. Consulting Services:

- Provide consulting services on international relations;
- Provide cultural consulting awareness services on how to appropriately address dignitaries from particular countries;
- Develop by January/February 2015 in conjunction with Addison Special Events an international-focused gastronomic element for Fork and Cork.
- Develop by March/April 2015 a German program element for the Town's annual Oktoberfest event in collaboration with the German Consulate in Texas.

A table reflecting and including these Services is attached to this Agreement as Exhibit A and incorporated herein and made a part hereof.

Performance Reports – World Affairs Council shall provide to the City following or at the end of the second and third of the City's fiscal year (2015) quarters (or portion thereof, as applicable) while this Agreement is in effect, a report ("Performance Report") regarding the work and activities of World Affairs Council for the calendar year quarter immediately prior to the date the report is provided, including, without limitation, (i) all marketing activities of World Affairs Council, (ii) a report on expenses and the payment thereof (e.g., payments to performers, other third parties, and proof of such payment), (iii) a report regarding the activities of World Affairs Council as to all other of the above and foregoing Services. The Performance Report for the (a) third fiscal year quarter shall be provided by June 30, 2015, and (b) fourth fiscal quarter shall be provided by September 30, 2015.. Each such report shall be in form and content satisfactory to the City, and World Affairs Council shall provide supporting information for its report, including any supporting information as the City may reasonably request. Upon the

expiration or earlier termination of this Agreement, World Affairs Council shall provide such report to the City not later than the 25th day following the Expiration Date or the date of termination, as applicable, and the obligation to provide such report shall survive the expiration or earlier termination of this Agreement.

In connection with the Services, World Affairs Council warrants and represents to the City that:

- 1) World Affairs Council has the skills, qualifications, expertise, experience and financial capability necessary to perform the Services with a high degree of quality and responsiveness;
- 2) The Services and work will be provided in a professional and timely manner, consistent with the commercially accepted best practices and standards;
- 3) The Services shall comply with all applicable federal, state or local statutes, ordinances, laws, rules, standards, codes and regulations;
- 4) World Affairs Council: (i) is a corporation duly organized, validly existing and in good standing under the laws of the State of Texas, and shall remain in good standing throughout the term of this Agreement; (ii) it has the requisite power and authority to carry on its business as it is now being conducted; (iii) it has the legal capacity to enter into this Agreement; and, (iv) the execution, delivery and performance of this Agreement and the consummation of the transactions contemplated by this Agreement have been authorized and approved by all action required on the part of World Affairs Council; and
- 5) The execution and delivery of this Agreement by World Affairs Council does not: (i) conflict with, or result in any violation or breach of, any provision of the World Affairs Council's charter documents; (ii) result in any violation or breach of, or constitute a default under, or require a consent or waiver under, any of the terms, conditions or provisions of any license, contract or other agreement to which World Affairs Council is a party; or (iii) materially conflict with or violate any franchise, license, judgment, order, statute, law, rule or regulation applicable to World Affairs Council.

All Services shall be provided by World Affairs Council in cooperation and coordination with the City Staff, and in particular with the Addison Director of Economic Development & Tourism (the "Director"). Any and all promotional or other materials regarding the Scope of Services which are to be prepared, given or delivered by World Affairs Council shall be first presented to the Director for the Director's review and approval prior to the public dissemination of any such materials. Standardized language agreed upon by both parties prior to any public dissemination thereof may, after such agreement, be disseminated in World Affairs Council materials without prior review of those materials. Prior to solicitation of any activities and other vendors, World Affairs Council shall use its reasonable efforts to first obtain the pre-approval of the Director regarding such solicitation; however, the parties hereto recognize that World Affairs

Council may not be able in all instances to obtain the pre-approval of the Director prior to a solicitation, and in such event World Affairs shall nevertheless, in conducting any solicitation, abide by and comply with such communication standards as the Director shall establish. The Services shall be provided by World Affairs Council in a professional manner. In identifying, selecting, and recommending entertainers, activities, and vendors pursuant to this Agreement, and in performing all of its Services hereunder, World Affairs Council understands and recognizes that the events under this agreement are not for religious or political purposes (and are not events that promote or suggest any religious or political agenda), and World Affairs Council will perform its Services hereunder in accordance therewith.

3. **Compensation.** For the Services provided by World Affairs Council in accordance with the terms and conditions of this Agreement and subject to the termination provisions of this Agreement, the City will pay World Affairs Council a fee as follows:

The City will pay World Affairs Council Fifty Thousand and No/100 Dollars (\$50,000.00), to be paid in three installments as follows: (1) the first installment (“first installment”) of \$16,666.67 shall be paid by April 15, 2015, (2) the second installment (the “second installment”) of \$16,666.67 shall be paid by July 15, 2015, and (3) the third and final installment (the “third installment”) of \$16,666.67 shall be paid by October 15, 2015 upon (i) the completion of the Scope of Services (that is, upon completion of all of the Services), and (ii) the satisfactory performance as reasonably determined by the City of all of the Services by World Affairs Council, including, without limitation, the timely receipt by the City of the September (for the last quarter of 2015) Performance Report and all performance reports to be provided prior thereto, in form and content reasonably acceptable to the City (upon the satisfaction of the said (i) and (ii), payment of the third installment shall be by no later than September 31, 2016).

The City will also provide the World Affairs Council a maximum allowance of Ten Thousand Dollars (\$10,000) for marketing and promotional collateral material and event space costs associated for events hosted solely in Addison. This amount is to be paid as a reimbursement to the World Affairs Council upon the receipt of an invoice with demonstrated proof that such expenses were incurred by the World Affairs Council.

4. **Termination.**

- A. *Without cause.* Either party may terminate this Agreement at any time by giving to the other party at least 30 days written notice of such termination. Termination shall have no effect upon the rights and obligations of the parties arising out of any transaction occurring prior to the effective date of such termination. In the event of termination or upon the expiration of this Agreement, all finished or unfinished data, studies, reports and other materials and items (whether kept electronically, in writing, or otherwise) prepared by World Affairs Council shall be and become the property of the City and World Affairs Council shall promptly deliver such items to the City.

B. *With cause.*

- (i) If (a) World Affairs Council fails to perform any of World Affairs Council's duties or responsibilities as reasonably determined by the City, or (b) if World Affairs Council fails to fulfill in a timely and professional manner World Affairs Council's obligations under this Agreement, or (c) if World Affairs Council shall violate any of the terms or provisions of this Agreement (the said (a), (b) and (c) being referred to together in this paragraph as a "Failure"), or (d) if World Affairs Council, World Affairs Council's agents or employees fail to exercise good behavior either during or outside of working hours that is of such a nature as to bring discredit upon the City, as determined reasonably but solely by the City, then the City shall have the right to terminate this Agreement effective immediately upon the City giving notice thereof, either oral or in writing, to World Affairs Council.
- (ii) Notwithstanding the foregoing subparagraph B.(i), with respect to a Failure, such right of termination shall not be exercised by the City unless and until a Failure remains uncured by World Affairs Council for a reasonable period of time (as determined by the City) after notice thereof (which notice shall specifically identify the Failure) from the City is received by World Affairs Council.
- (iii) If the City's termination of World Affairs Council for cause is defective for any reason, including but not limited to the City's reliance on erroneous facts concerning World Affairs Council's performance, or any defect in notice thereof, the City's maximum liability shall not exceed the amount payable to World Affairs Council under Section 3 above.

C. In the event of termination or upon the expiration of this Agreement, all finished or unfinished data, studies, reports and other items (whether kept electronically, in writing, or otherwise) prepared by World Affairs Council shall be and become the property of the City and World Affairs Council shall promptly deliver such items to the City.

D. If this Agreement is terminated in March 2015, World Affairs Council shall promptly reimburse the amount of the first installment to the City. If this Agreement is terminated: (i) in April 2015, World Affairs Council shall promptly reimburse to the City the sum of \$ 8,333.34; (ii) in May 2015, World Affairs Council shall promptly reimburse to the City the sum of \$ 4,166.67. If this Agreement is terminated in June 2015, World Affairs Council shall promptly reimburse the amount of the second installment to the City. If this Agreement is terminated: (i) in July 2015, World Affairs Council shall promptly reimburse to the City the sum of \$ 8,333.34; (ii) in August 2015, World Affairs Council shall promptly reimburse to the City the sum of \$4,166.67. If this Agreement is terminated in September 2015, World Affairs Council shall promptly reimburse the amount of the third installment to the City. Following such termination, World Affairs Council shall be entitled to no further payment or compensation hereunder. The reimbursement obligation set forth herein shall survive the termination of this Agreement.

If this Agreement is terminated in the months of September, October, November, or December of 2015, World Affairs Council shall be entitled to payment of a ratable portion of the fourth installment for Services properly performed hereunder, as reasonably determined by the City.

5. **Relationship of Parties.** World Affairs Council is and shall be during the entire term of the Agreement an independent contractor, and nothing in this Agreement is intended nor shall be construed to create an employer-employee relationship, a joint venture relationship, a joint enterprise, or to allow the City to exercise discretion or control over the professional manner in which World Affairs Council performs the Services which are the subject matter of the Agreement; provided always however that the Services to be provided by World Affairs Council shall be provided in a manner consistent with all applicable standards, regulations, and laws governing such Services.

6. **Insurance.** At all times in connection with this Agreement, World Affairs Council shall purchase and maintain in a company or companies lawfully authorized to do business in Texas such insurance coverages as set forth below:

a.	Commercial General Liability:	\$1,000,000.00
b.	General Aggregate	\$1,000,000.00
c.	Product/Completed Operations Aggregate	\$1,000,000.00
d.	Personal & Adv. Injury	\$1,000,000.00
e.	Per Occurrence	\$1,000,000.00
f.	Medical Coverage	\$ 5,000.00 (any one person)
g.	Liquor Liability Endorsement	\$1,000,000.00 (if selling beer and/or wine)
h.	Fire Liability (any one fire)	\$ 50,000.00
i.	Statutory Limits of Workers Compensation Insurance	

All such insurance shall: (i) be issued by a carrier which is rated "A-1" or better by A.M. Best's Key Rating Guide and licensed to do business in the State of Texas, (ii) name the Town of Addison as an additional insured and contain a waiver of the subrogation endorsement in favor of the Town of Addison, (iii) endorsed to read as primary coverage regardless of the application of other insurance, (iv) contain no cross liability exclusions or insured versus insured restrictions applicable to the claims of the Town of Addison, and (v) include coverage for the period of time including the Festival days as well as set-up days (usually one day before and one day after the event). Certified copies of all such policies shall be delivered to Addison upon the execution of this Agreement, but in any event no later than two weeks prior to the event; provided, however, that Addison, in its sole discretion and in lieu of certified copies of such policies, may permit the delivery of certificates of insurance (listing each insurance coverage described and required herein) together with the declaration page of such policies, along with a copy of the endorsements necessary to meet the requirements and instructions contained herein, including, without limitation, the endorsement naming the Town of Addison as an additional insured, and shall specifically set forth the notice of cancellation and termination provisions to the Town of Addison. Each such policy shall provide that it shall not be canceled without at least 30-days written notice thereof being given to the

Town of Addison. Coverage for Products/ Completed Operations must be maintained at least two (2) years after this Agreement is terminated in its entirety, including any renewal thereof or extensions thereto.

7. **Records.** World Affairs Council shall keep complete and accurate records for the Services performed pursuant to this Agreement and any records required by law or government regulation and shall make such records available to City upon request. World Affairs Council shall assure the confidentiality of any records that are required by law to be so maintained. World Affairs Council shall prepare and forward such additional or supplementary records as City may reasonably request.
8. **Notice.** For purposes of this Agreement, if written notice or other communication is given, such notice or other communication shall be in writing, addressed as provided hereinafter to the party to whom the notice or request is given, and shall be either (i) delivered personally, (ii) sent by United States certified mail, postage prepaid, return receipt requested, or (iii) placed in the custody of Federal Express Corporation or other nationally recognized carrier to be delivered overnight. Notice shall be deemed given: when received if delivered personally; seventy-two (72) hours after deposit if sent by mail; and twenty-four (24) hours after deposit if sent by Federal Express or other nationally recognized carrier. Addresses for notice are as follows:

To the City:
Town of Addison, Texas
5300 Belt Line Road
Dallas, Texas 75254-7606
Attn: Chris Terry

To World Affairs Council:
World Affairs Council
325 N. St. Paul Street, Suite 4200
Dallas, TX 75201
Attn: Jim Falk

The addresses and addressees for the purpose of this Section may be changed by giving notice of such change in the manner herein provided for giving notice. Unless and until such written notice is received the last addresses and addressee stated by written notice, or provided herein if no written notice of change has been sent or received, shall be deemed to continue in effect for all purposes hereunder.

9. **Reports Confidential.** No reports, information (either in writing or oral), documents, or other materials given to or prepared by World Affairs Council under this Agreement which the City requests in writing to be kept confidential, shall be made available to any individual or organization by World Affairs Council without the prior written approval of the City.
10. **Authority to Execute.** The undersigned officers and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the parties hereto.
11. **Ownership of Reports.** The reports, documents and materials prepared by World Affairs Council under or pursuant to this Agreement shall be the sole property of the City.

12. **Assignment.** Inasmuch as this Agreement is intended to secure the specialized services of World Affairs Council, World Affairs Council has no authority or power to and may not assign, transfer, delegate, subcontract or otherwise convey any interest herein without the prior written consent of the City, and any such assignment, transfer, delegation, subcontract or other conveyance without the City's prior written consent shall be considered null and void *ab initio*.
13. **Rights and Remedies Cumulative; Non-Waiver.** The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by either party shall not preclude or waive its right to use any or all other remedies. Said rights and remedies are given in addition to any other rights the parties may have by law, statute, ordinance, or otherwise. The failure by either party to exercise any right, power, or option given to it by this Agreement, or to insist upon strict compliance with the terms of this Agreement, shall not constitute a waiver of the terms and conditions of this Agreement for any reason whatsoever, including with respect to any such right, power or option or to such compliance or to any other or subsequent default or breach hereof, nor a waiver by either party of its rights at any time to exercise any such right, power or option or to require exact and strict compliance with all the terms hereof. Any rights and remedies either party may have with respect to the other arising out of this Agreement shall survive the cancellation, expiration or termination of this Agreement.
14. **Applicable Law; Venue.** In the event of any action under this Agreement, exclusive venue for all causes of action shall be instituted and maintained in Dallas County, Texas. The parties agree that the laws of the State of Texas shall govern and apply to the interpretation, validity and enforcement of this Contract; and, with respect to any conflict of law provisions, the parties agree that such conflict of law provisions shall not affect the application of the law of Texas (without reference to its conflict of law provisions) to the governing, interpretation, validity and enforcement of this Agreement.
15. **Enforceability.** If any term, covenant, condition or provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired or invalidated thereby.
16. **Force Majeure.** In the event either the City or World Affairs Council shall be delayed or hindered in or prevented from the performance of any act required hereunder by reason of fire, casualty, strikes, lockouts, labor trouble, inability to procure materials or supplies, failure of power, governmental authority, riots, insurrections, war or other reason of like nature, where such delay, hindrance or prevention of performance shall not be within the reasonable control of the party obligated to perform and not be avoidable by diligence, the party so delayed shall promptly give notice to the other party, and thereupon performance of such act shall be excused for such period of delay.
17. **No Third-Party Beneficiaries.** This Agreement and all of its terms and provisions are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

18. **Incorporation of Recitals.** The above and foregoing Recitals to this Contract are true and correct and are incorporated herein and made a part hereof for all purposes.
19. **Construction of Certain Terms.** Section and subsection headings herein are for convenience only and shall not be used in interpretation of this Agreement. The words “includes” and “including” are terms of enlargement and not of limitation or exclusive enumeration, and use of the terms does not create a presumption that components not expressed are excluded.
20. **Severability.** The sections, paragraphs, sentences, phrases, words, and all other provisions of this Agreement are severable, and if any part of this Agreement is determined by a court of competent jurisdiction to be illegal, unlawful, unconstitutional, or void for any reason, the parties intend that the remaining provisions of this Agreement shall remain in full force and effect. In lieu of any such illegal, unlawful, unconstitutional, or void provision, the parties agree to seek to negotiate to add to this Agreement another provision that would be permitted that is as close to the intent of the original provision as possible.
21. **Entire Agreement and Modification.** This Agreement supersedes all previous Agreements and constitutes the entire understanding of the parties hereto. No changes, amendments or alterations shall be effective unless in writing and signed by both parties.

SIGNED by each of the respective parties on the date set forth below.

TOWN OF ADDISON, TEXAS

**WORLD AFFAIRS COUNCIL OF
DALLAS FORT WORTH**

By: _____
Chris Terry, Assistant City Manager

By: _____
James N. Falk, President and CEO

Date: _____

Date: _____

AI-1057

R2c

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: Infrastructure- Development Services

Council Goals: N/A

AGENDA CAPTION:

Approval of Ordinance No. O14-056 changing the zoning on property located at 14300 Dallas Parkway (Tollway Center) from a Planned Development District created by Ordinance No. O85-001 to a new Planned Development District for approximately 200,000 square feet of office uses and an approved site plan.

BACKGROUND:

This item is to formally adopt the zoning ordinance for Case 1702-Z/Tollway Center. This case was originally heard by the City Council on December 9, 2014 where it was unanimously approved.

The ordinance is coming to Council due to a change in the City Attorney's process for how the Town adopts ordinances. Historically, the Town has conducted the zoning case and staff then drafted the ordinance based on Council's direction after the case was approved. It was then signed by the Mayor and became official. Under the new process, the City Attorney advises that the Council should review and approve the ordinance at the same time as the consideration of the zoning case.

Therefore, going forward, the ordinance will come to Council concurrently as part of the zoning case. In order to facilitate this change, we are bringing back for Council's approval the ordinances for zoning cases starting in June, 2014. No changes have been made to these ordinances or as part of the case; this is just done as a technical step to formally adopt the new zoning ordinance. The Council will see several of these on the consent agenda over the next few Council meetings.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 014-056

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE REPEALING ORDINANCE NO. 085-001 AND CHANGING THE ZONING OF AN APPROXIMATELY 7.3 ACRE TRACT OF LAND, GENERALLY LOCATED BETWEEN LANDMARK BOULEVARD AND THE DALLAS NORTH TOLLWAY AND ADDRESSED AS 14300 DALLAS PARKWAY, FROM A PLANNED DEVELOPMENT DISTRICT CREATED BY ORDINANCE NO. 085-001 WHICH PROVIDED FOR 1.4 MILLION SQUARE FEET OF OFFICE WITH UNDERGROUND PARKING, TO A NEW PLANNED DEVELOPMENT DISTRICT FOR APPROXIMATELY 200,000 SQUARE FEET OF OFFICE USES AND AN APPROVED SITE PLAN; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, a 10.6 acre tract of land is located partially in Addison, Texas (the “City”) and partially in Farmers Branch, is generally located between Landmark Boulevard and Dallas Parkway, and is addressed as 14300 Dallas Parkway, and is more particularly described as **Exhibit A** attached hereto and incorporated herein (the “Property”); and

WHEREAS, the Property is currently zoned as a Planned Development District pursuant to Ordinance No. 085-001; and

WHEREAS, the owner of the Property filed an application requesting a change in zoning on the 7.3 acre portion of the Property that is located in the City, to a new Planned Development District for the uses and purposes as described herein; and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this amendment promotes the general welfare and safety of this community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

Section 2. That Ordinance No. 085-001 is hereby repealed.

Section 3. That the Comprehensive Zoning Ordinance of the Town of Addison, Texas is hereby amended by changing the zoning on the Property located at 14300 Dallas Parkway, and more particularly described in **Exhibit A**, to Planned Development District for office uses and shall be developed and used in accordance with the Development Conditions and Standards for this Planned Development (PD) District attached hereto as **Exhibit B**, the Site Plan, Floor Plan, and Building Elevations attached hereto as **Exhibit C**, and with all applicable regulations of the Zoning Ordinance, and all other applicable ordinances, rules, regulations, codes and standards of the City and the laws, rules, regulations and standards of all other governmental entities, agencies, or authorities having jurisdiction over the Property.

Section 4. No building permit or certificate of occupancy for any use on or in the Property shall be issued until there has been full compliance with this Ordinance and all other applicable ordinances, rules, regulations, codes and standards of the City.

Section 5. The official Zoning Map of the City shall be modified to reflect the zoning change herein made.

Section 6. The amendment to zoning herein made has been made in accordance with the comprehensive plan of the City for the purpose of promoting the health, safety and welfare of the community, and with consideration of the reasonable suitability for the particular use and with a view of conserving the value of the buildings and encouraging the most appropriate use of land within the community.

Section 7. That any person, firm, corporation, or other business entity violating any of the provisions or terms of this Ordinance shall, in accordance with Article XXVIII (Penalty for Violation) of the Zoning Ordinance, be fined, upon conviction, in an amount of not more than Two Thousand and No/100 Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Section 8. The provisions of this Ordinance are severable, and should any section, subsection, paragraph, sentence, phrase or word of this Ordinance, or application thereof to any person, firm, corporation or other business entity or any circumstance, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of the remaining or other parts or portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining parts or portions of this Ordinance despite such unconstitutionality, illegality, or invalidity, which remaining portions shall remain in full force and effect.

Section 9. That all ordinances of the City in conflict with the provisions of this Ordinance be, and the same are hereby repealed, and all other ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 10. This Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 9th day of December, 2014.

Todd Meier, Mayor

ATTEST:

Chelsea Gonzalez, City Secretary

CASE NO: 1702-Z/Tollway Center

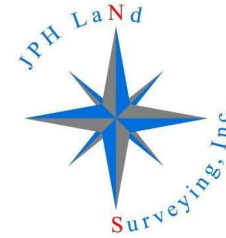
APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

PUBLISHED ON: _____

EXHIBIT A**Zoning Description**

(Page 1 of 2)



FIELD NOTES to that certain tract situated in the Josiah Pancoast Survey, Abstract Number 1146, Town of Addison, Dallas County, Texas, said tract being a portion of the tract described in the deed to Crescent Crown Land Holding SPV LLC, recorded under Instrument Number 200900330332 of the Official Public Records of Dallas County, Texas; the subject tract being more particularly described as follows:

Beginning at a 1/2 inch capped rebar stamped "JPH LAND SURVEYING" set on the south line of Block 3, Quorum as shown on the plat recorded in Volume 79100, Page 1895 of the Deed Records of Dallas County, Texas;

THENCE NORTH 88 degrees 46 minutes 28 seconds EAST, with the south line of said Block 3, a distance of 621.07 feet to a mag nail with washer stamped "JPH LAND SURVEYING" set at the northwest corner of the tract described in the deed to the Texas Turnpike Authority recorded in Volume 84143, Page 5195 of the Deed Records of Dallas County, Texas;

THENCE in a southerly direction, with the west line of the said Texas Turnpike Authority tract, the following calls:

1. SOUTH 00 degrees 55 minutes 54 seconds WEST, a distance of 200.31 feet to a 1/2 inch rebar found at the beginning of a non-tangent curve concave to the east, having a radius of 964.93 feet;
2. along the arc of the said non-tangent curve, an arc length of 13.11 feet (a chord bearing of SOUTH 00 degrees 04 minutes 42 seconds WEST, a chord distance of 13.11 feet) to a 1/2 inch rebar found at the beginning of a non-tangent compound curve concave to the east, having a radius of 1270.92 feet;
3. along the arc of the said non-tangent compound curve, an arc length of 35.64 feet (a chord bearing of SOUTH 09 degrees 03 minutes 58 seconds EAST, a chord distance of 35.64 feet) to a mag nail with washer stamped "JPH LAND SURVEYING" set at the beginning of a non-tangent compound curve concave to the east, having a radius of 959.93 feet;
4. along the arc of the said non-tangent compound curve, an arc length of 132.06 feet (a chord bearing of SOUTH 05 degrees 57 minutes 41 seconds EAST, a chord distance of 131.96 feet) to a scribed "x" on concrete found at the northeast corner of "Lot 1, Block 1, Rusty Pelican Addition" dedicated as Lot 1, Block 1, Rusty Pelican Restaurants, Inc. as shown on the plat recorded in Volume 84011, Page 2089 of the Deed Records of Dallas County, Texas;

THENCE SOUTH 88 degrees 04 minutes 31 seconds WEST, with the north line of said Lot 1, Block 1, Rusty Pelican Addition, a distance of 269.37 feet to a 1/2 inch rebar found at the northwest corner of Lot 1, Block 1, Rusty Pelican Addition;

THENCE SOUTH 01 degree 54 minutes 50 seconds EAST, with the east line of a 60-foot Utility Easement as shown on the plat of said Rusty Pelican Addition, a distance of 224.81 feet to the southwest corner of Lot 1, Block 1, Rusty Pelican Addition, from which a found 1/2 inch rebar bears NORTH 2 degrees EAST, 0.3 feet;

THENCE SOUTH 88 degrees 05 minutes 53 seconds WEST, with the north line of a 60-foot Fire Lane, Access, & Utility Easement as shown on the plat Wellington Square recorded in Volume 79220, Page 2203 of the Deed Records of Dallas County, Texas, a distance of 59.93 feet to a 1/2 inch rebar found on the east line of Lot 1, Block 1 of said Wellington Square;

JPH Land Surveying, Inc.

807 Bluebonnet Drive, Suite C, Keller, Texas 76248
 Telephone (817)431-4971 www.jphlandsurveying.com
 TBPLS Firm #100195-00

EXHIBIT A

THENCE NORTH 01 degree 57 minutes 08 seconds WEST, with the east line of said Lot 1, Block 1 of Wellington Square, a distance of 120.19 feet to a 1/2 inch rebar found at the northeast corner of Lot 1, Block 1 of Wellington Square;

THENCE SOUTH 88 degrees 04 minutes 46 seconds WEST, with the north line of Lot 1, Block 1 of Wellington Square, a distance of 375.88 feet more or less to the common line of the City of Farmers Branch and the Town of Addison;

THENCE NORTH 01 degree 15 minutes 32 seconds WEST, with the said common line of the City of Farmers Branch and the Town of Addison, through the interior of the tract described in the deed to Crescent Crown Land Holding SPV LLC recorded under Instrument Number 200900330332 of the Official Public Records of Dallas County, Texas, a distance of 493.33 feet to the south line of the said Block 3, Quorum, from which a found brass disk stamped "Town of Addison" bears NORTH 0.3 feet;

THENCE NORTH 88 degrees 46 minutes 28 seconds EAST, with the south line of said Block 3, Quorum, a distance of 66.64 feet returning to the Point of Beginning and enclosing 7.285 acres.

Basis of Bearings for this description is the Texas Coordinate System of 1983, North Central Zone 4202 (by GPS observation)

Jewel Chadd
Registered Professional
Land Surveyor No. 5754
jewel@jphls.com
April 1, 2015
2014.010.003



JPH Land Surveying, Inc.

807 Bluebonnet Drive, Suite C, Keller, Texas 76248
Telephone (817)431-4971 www.jphls.com

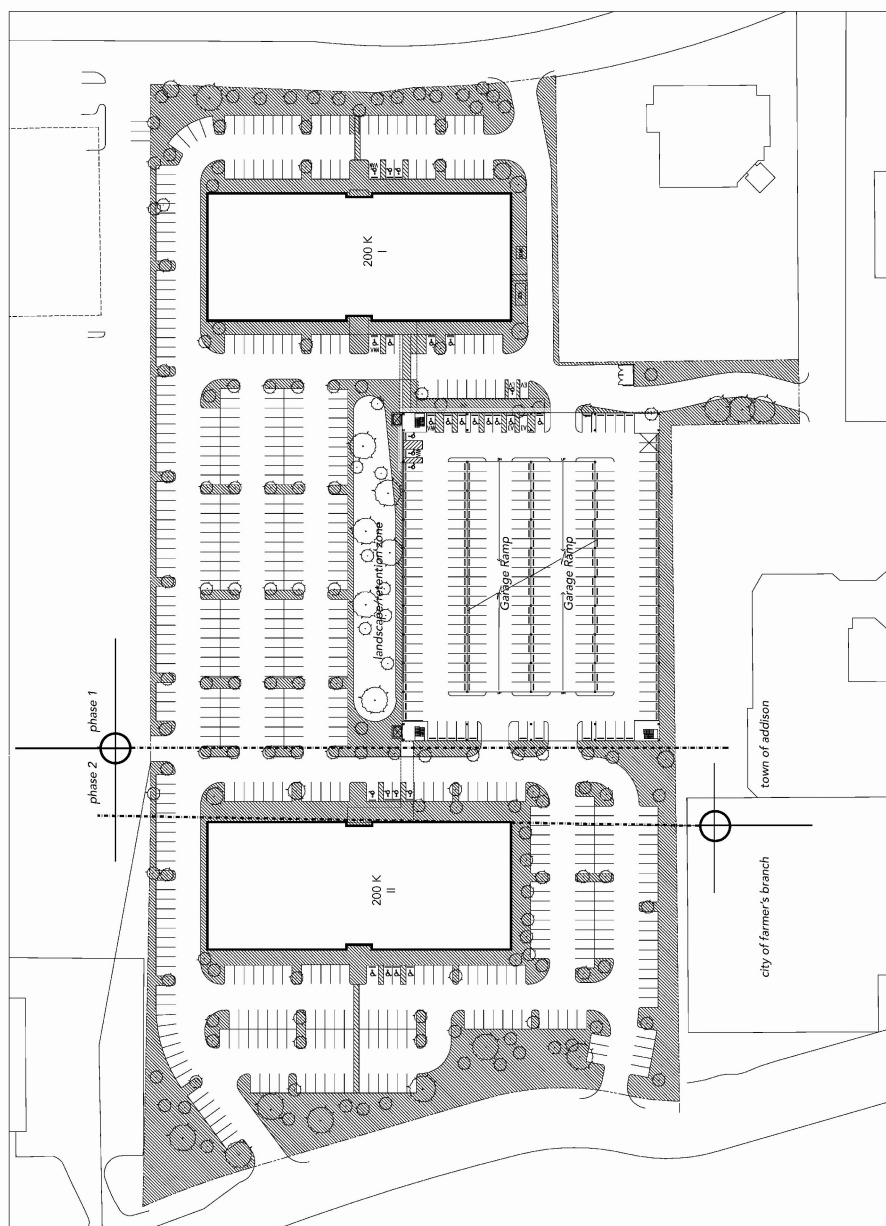
EXHIBIT B

Planned Development Regulations

1.0 PLANNED DEVELOPMENT DISTRICT

- 1.01 General Description: This Planned Development (PD) District is intended to accommodate high density office development in two phases. The first phase located in Addison and the second phase located in the City of Farmers Branch. The parking structure shown on the site plan in **Exhibit C** is located in Addison and under this PD would be shared between the two office buildings and be constructed in a manner that would allow for 2.5 additional floors to be added when Phase II moves forward.
- 1.02 Statement of Purpose: The purpose of this PD is to establish specific conditions for the use and development of the Property described in **Exhibit A**. The Property is one of the final vacant tracts along the Tollway and the Town desires to encourage high density, high-quality office development within the Tollway corridor.
- 1.03 Statement of Effect: This PD shall not affect any regulation found in the Town of Addison Zoning Ordinance or other development ordinances, each as amended, except as otherwise specified herein.
- 1.04 Development Regulations:
- A. The Property shall be developed for Office uses as defined in the Zoning Ordinance, as amended with the following support uses:
 - i. Rooftop conference center and terrace
 - ii. Fitness center
 - iii. Cafe
 - B. The Property shall be developed in accordance with the site plan, landscape plan and building elevations attached hereto as **Exhibit C**.
 - C. The Phase I office building shall be approximately 200,000 square feet in size.
 - D. The Phase I office building shall have a maximum height of six stories as defined in the Zoning Ordinance, as amended.
 - E. Exterior façade materials will include stone and stucco with aluminum accents.
 - F. Parking shall be provided at not less than 1 space per 300 square feet.
 - G. A second driveway access may be permitted as a shared driveway with the property to the north of the Property in a location and design geometry to be approved by the zoning administrator. If a second point of driveway access is granted, the site plan shall be amended accordingly and the revised site plan is to become the approved site plan for this ordinance.
 - H. The Property is located within the approach to Addison Airport.
 - i. Prior to the issuance of a building permit an official height determination from the FAA on Form 7460-1 shall be submitted to the Town.
 - ii. Prior to the issuance of a building permit, an Avigation Easement shall be submitted to the Town.

EXHIBIT C



CAWLEY PARTNERS TOLLWAY CENTER

11.03.2014
Project No.:
14067.100



PHASE 1 PHASE 2

town of addison town of addison

LANDSCAPING		LANDSCAPING	
phase 1 area	phase 2b area	phase 1 actual LA area	phase 2b actual LA area
282,443 sq. ft. (6.48 acres)	26,304 sq. ft. (0.6 acres)	63,904 sq. ft. (1.5 acres)	5,403 sq. ft.
phase 1 required LA area (20%)	phase 2b required LA area (20%)		
57,192 sq. ft. (1.3 acres)	5,260 sq. ft.		

city of farmers branch

LANDSCAPING

phase 2c area	143,877 sq. ft. (3.3 acres)
phase 2c required LA area (5%)	7,194 sq. ft.
phase 2c actual LA area	35,743 sq. ft.

PARKING	PARKING
surface parking phase 1+2	surface parking
535 spaces	304 spaces
garage parking phase 1+2	garage parking
4.5 level garage	2 level garage
1,007 spaces	510 spaces
818 spaces elevated	345 spaces elevated
187 spaces at grade	165 spaces at grade
total required parking @ 3/1000	total required parking @ 3/1000
1,200 spaces	600 spaces

total parking	814 spaces
total actual parking	1,542 spaces



PHASE 1+2 SITE PLAN

EXHIBIT C

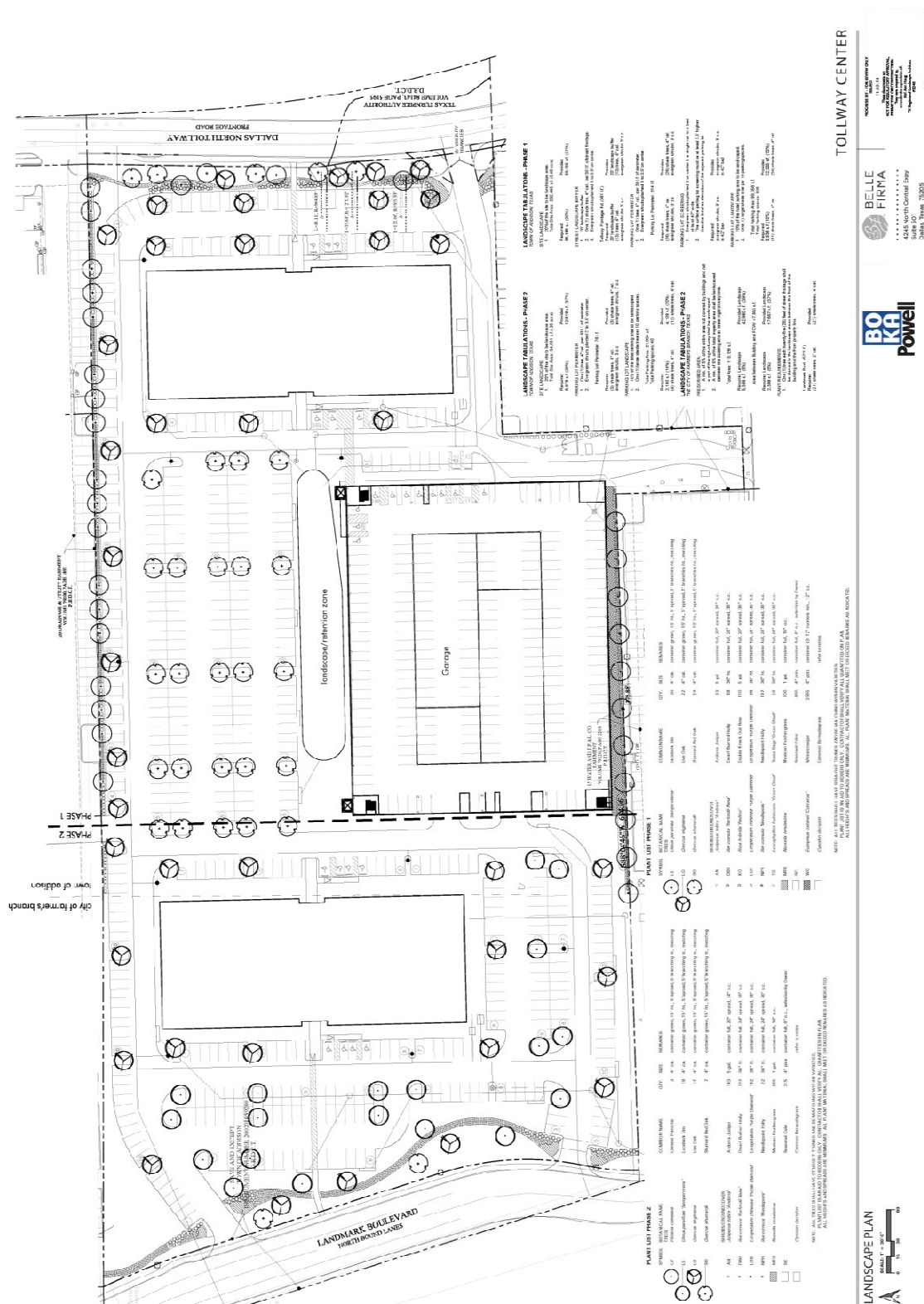
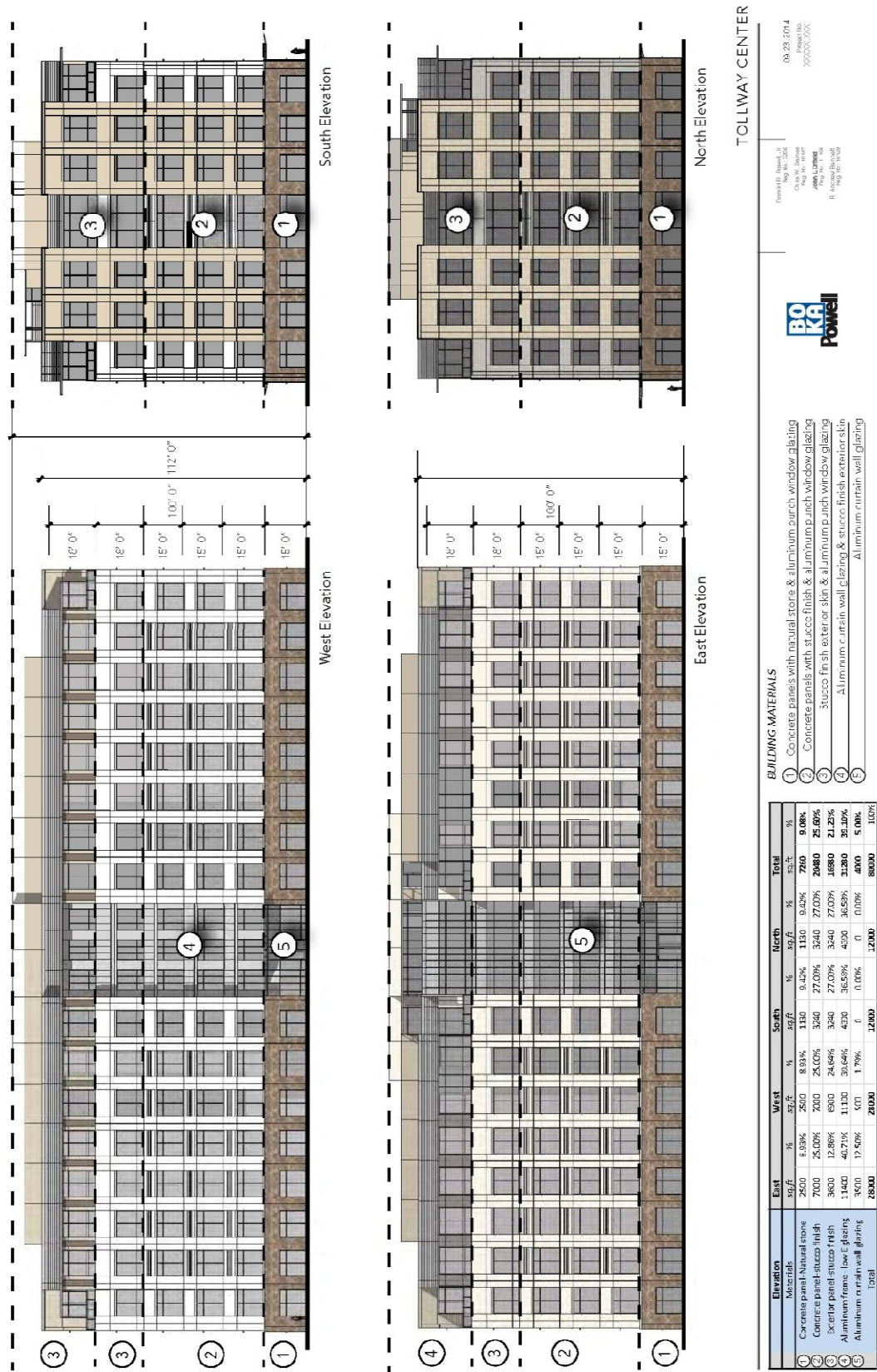


EXHIBIT C



AI-1059

R2d

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: Infrastructure- Development Services

Council Goals: N/A

AGENDA CAPTION:

Approval of Ordinance No. O14-051 changing the zoning on property located at 5100 Belt Line Road, Suite 500, (Lazy Dog) which property is currently zoned PD, Planned Development, through Ordinance O12-001, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only.

BACKGROUND:

This item is to formally adopt the zoning ordinance for Case 1703-SUP/The Lazy Dog. This case was originally heard by the City Council on October 14, 2014 where it was approved 6-1.

The ordinance is coming to Council due to a change in the City Attorney's process for how the Town adopts ordinances. Historically, the Town has conducted the zoning case and staff then drafted the ordinance based on Council's direction after the case was approved. It was then signed by the Mayor and became official. Under the new process, the City Attorney advises that the Council should review and approve the ordinance at the same time as the consideration of the zoning case.

Therefore, going forward, the ordinance will come to Council concurrently as part of the zoning case. In order to facilitate this change, we are bringing back for Council's approval the ordinances for zoning cases starting in June, 2014. No changes have been made to these ordinances or as part of the case; this is just done as a technical step to formally adopt the new zoning ordinance. The Council will see several of these on the consent agenda over the next few Council meetings.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 014-051

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS AS HERETOFORE AMENDED TO GRANT SPECIAL USE PERMITS FOR A RESTAURANT AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION OF GOLDEN PROPERTY DEVELOPMENT, LLC, FOR PROPERTY LOCATED AT 5100 BELT LINE ROAD, SUITE 500; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the property located at 5100 Belt Line Road, Suite 500 is part of the Village on the Parkway development and is zoned as Planned Development District O12-001; and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

Section 2. That a Special Use Permit authorizing a restaurant use and a Special Use Permit authorizing the sale of alcoholic beverages for on-premises consumption only, on the property located at 5100 Belt Line Road, Suite 500, are hereby granted subject to the following conditions:

- (a) Prior to the issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan, floor plan, landscape plan, and the elevation drawings showing four exterior walls, which are attached hereto as **Exhibit A** and made a part hereof for all purposes.
- (b) The Special Use Permit granted herein for a restaurant with the sale of alcoholic beverages for on-premises consumption only shall be limited to that particular area designated on the final site plan as encompassing a total area not to exceed 10,517 square feet.

- (c) No signs advertising sale of alcoholic beverages shall be permitted other than those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the Town of Addison, Texas.
- (d) The sale of alcoholic beverages under this special use permit shall be permitted in restaurants. Restaurants are hereby defined as establishments which receive at least sixty percent (60%) of their gross revenues from the sale of food.
- (e) Said establishment shall make available to the city or its agents, during reasonable hours its bookkeeping records for inspection, if required, by the city to insure that the conditions of subparagraph (d) above are being met.
- (f) Any use of property considered as a nonconforming use under the Comprehensive Zoning Ordinance of the Town of Addison shall not be permitted to receive a license or permit for the sale of alcoholic beverages.
- (g) If the property for which the special use permit is granted and is not used for the purposes for which said permit was granted within one (1) year after the adoption of this ordinance, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.
- (h) If a license or permit to sell alcoholic beverages on property covered by this special use permit is revoked, terminated or cancelled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.
- (i) The establishment shall not use the term “bar”, “tavern”, or any other terms or graphic depictions that relate to the sale of alcoholic beverages on any signs visible from the exterior of the premises.

Section 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

Section 4. That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

Section 5. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 6. That this Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 14th day of October, 2014.

Todd Meier, Mayor

ATTEST:

Chelsea Gonzalez, City Secretary


CASE NO: 1703-SUP/Lazy Dog

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

PUBLISHED ON: _____

EXHIBIT A



LAZY DOG RESTAURANT & BAR

LAZY DOG RESTAURANT
 VILLAGE ON THE PARKWAY
 5100 BELT LINE RD
 ADDISON, TX 7524

CONTACT INFORMATION

OWNER / TRAILER / LESSEE
 LAZY DOG RESTAURANT & BAR
 5100 BELT LINE RD, SUITE 500
 ADDISON, TX 7524
 (972) 381-1111

DESIGNER
 MCDERMOTT ENGINEERING & ARCHITECTURE, INC.
 10000 W. LAKOTA AVE., SUITE 100
 ADDISON, TX 75241

SHEET INDEX

SHEET NO.	SHEET TITLE
1	COVER SHEET
2	GENERAL NOTES
3	SEATING & AREA CALCULATIONS
4	SYMBOLS LEGEND
5	VICINITY MAP

BUILDING INFO

NO.	TYPE	AMOUNT	DATE
1	SEATING	100	10/1/17
2	BAR	10	10/1/17
3	TOTAL	110	10/1/17

SEATING & AREA CALCULATIONS

NO.	TYPE	AMOUNT	DATE
1	SEATING	100	10/1/17
2	BAR	10	10/1/17
3	TOTAL	110	10/1/17

Seating Count

NO.	TYPE	AMOUNT	DATE
1	SEATING	100	10/1/17
2	BAR	10	10/1/17
3	TOTAL	110	10/1/17

VICINITY MAP




EXHIBIT A

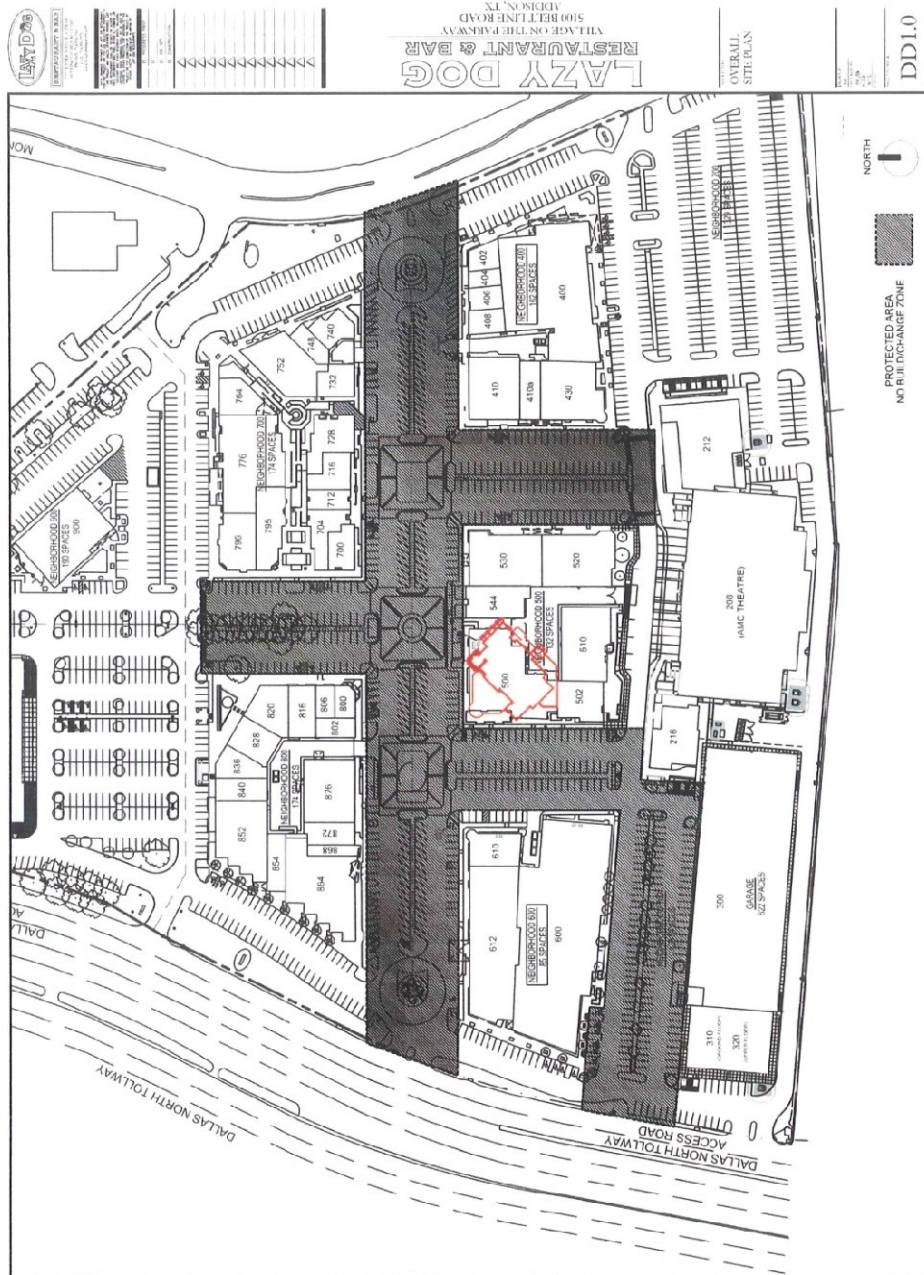


EXHIBIT A

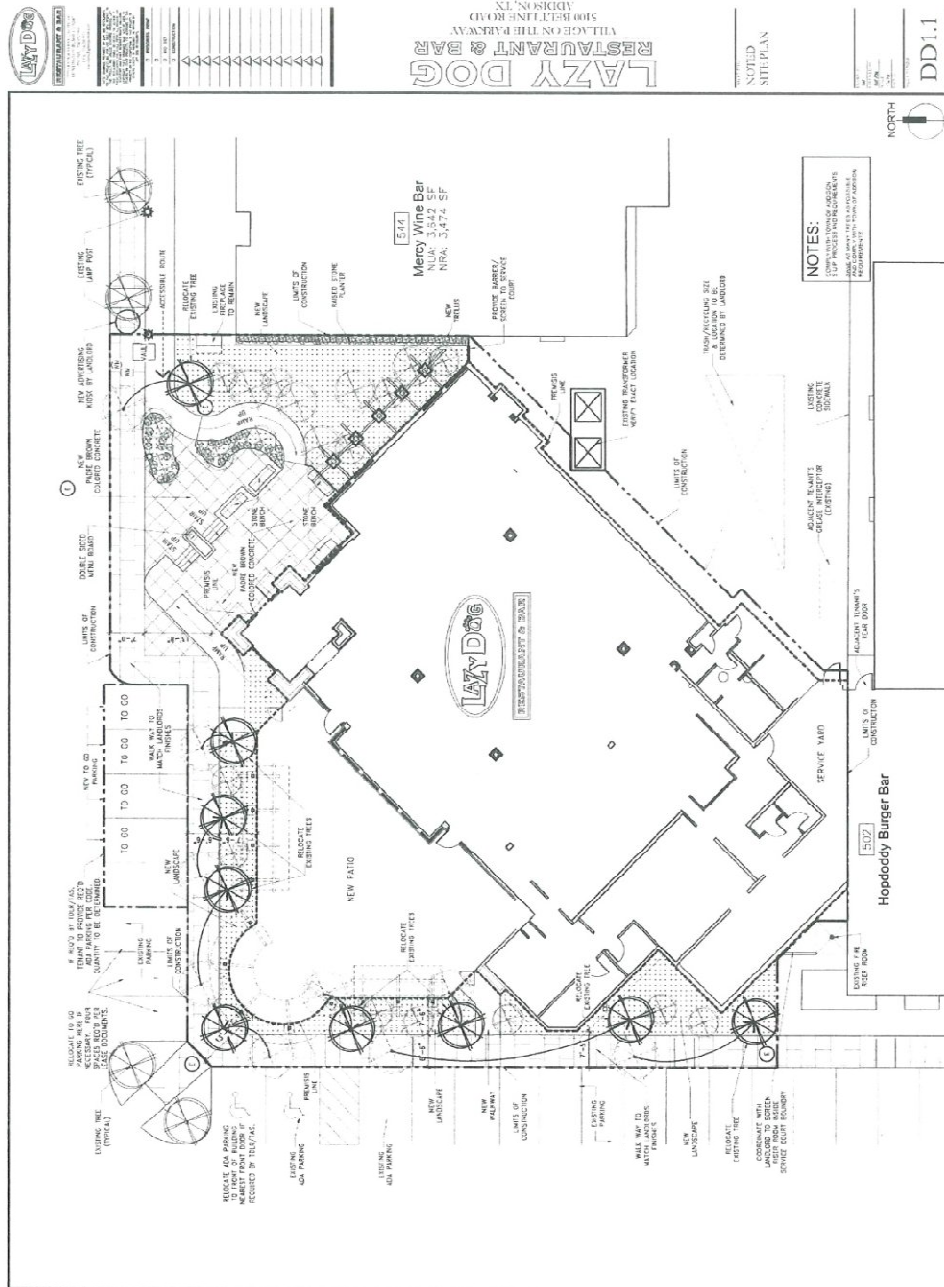


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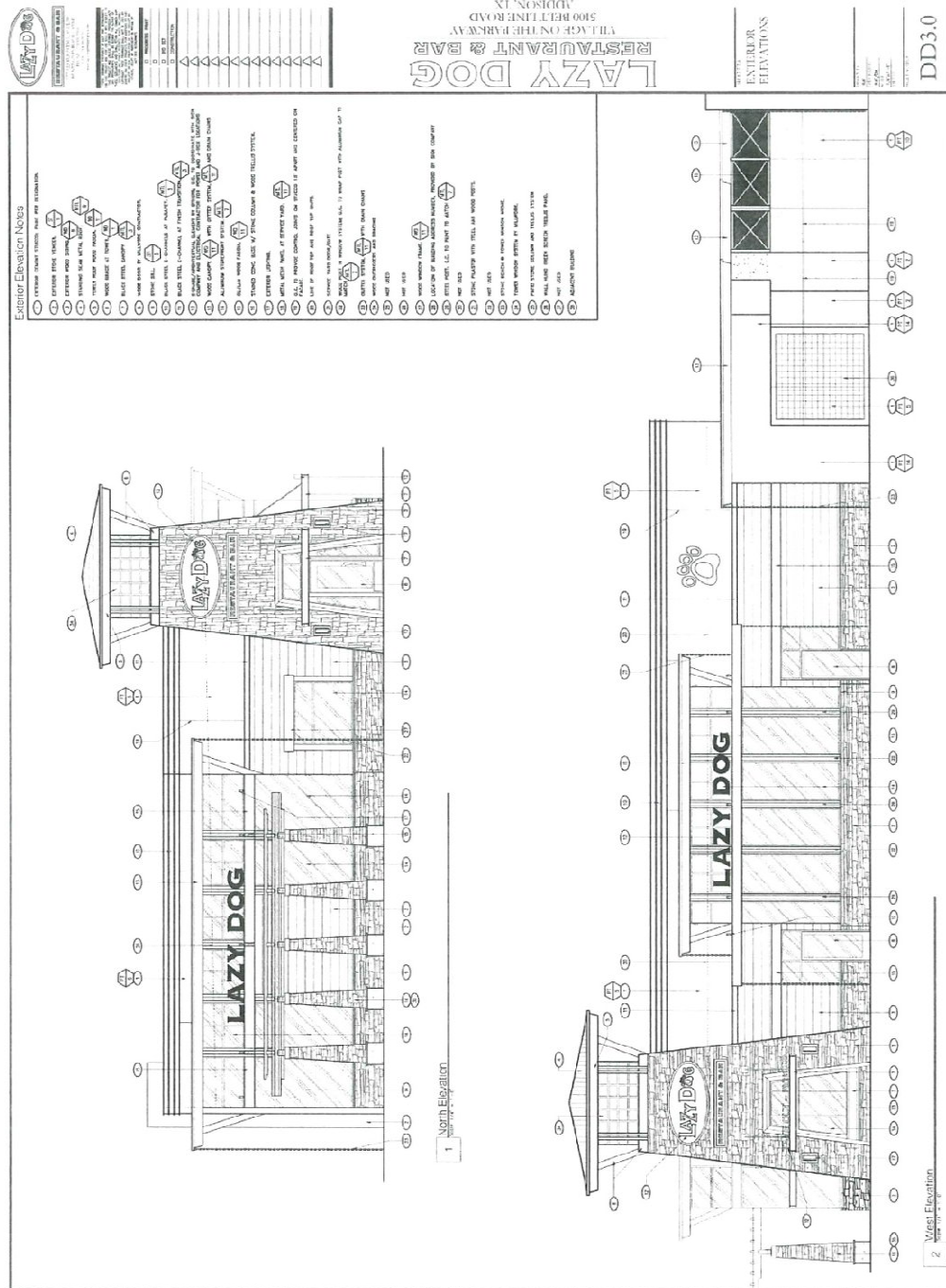


EXHIBIT A

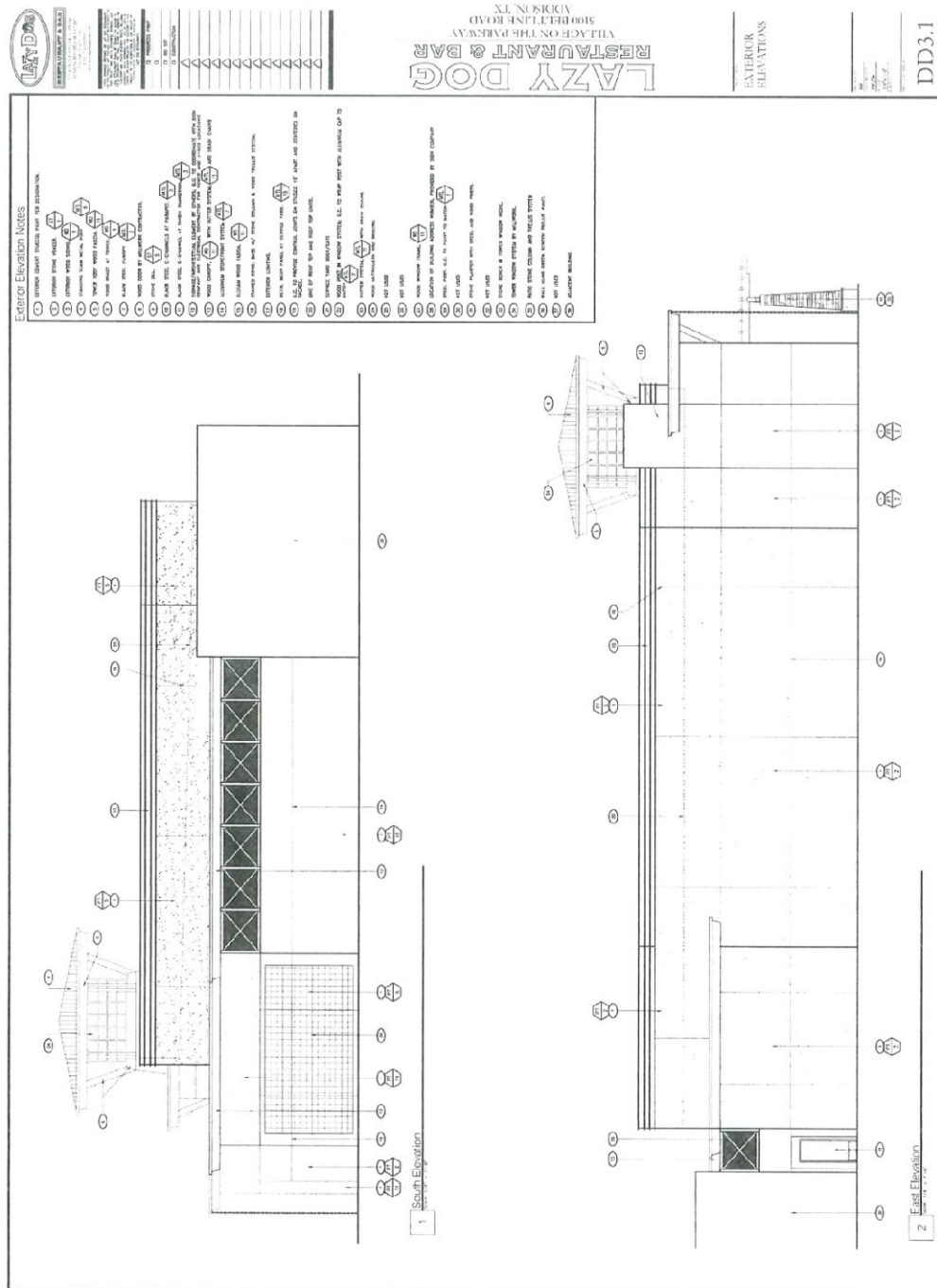
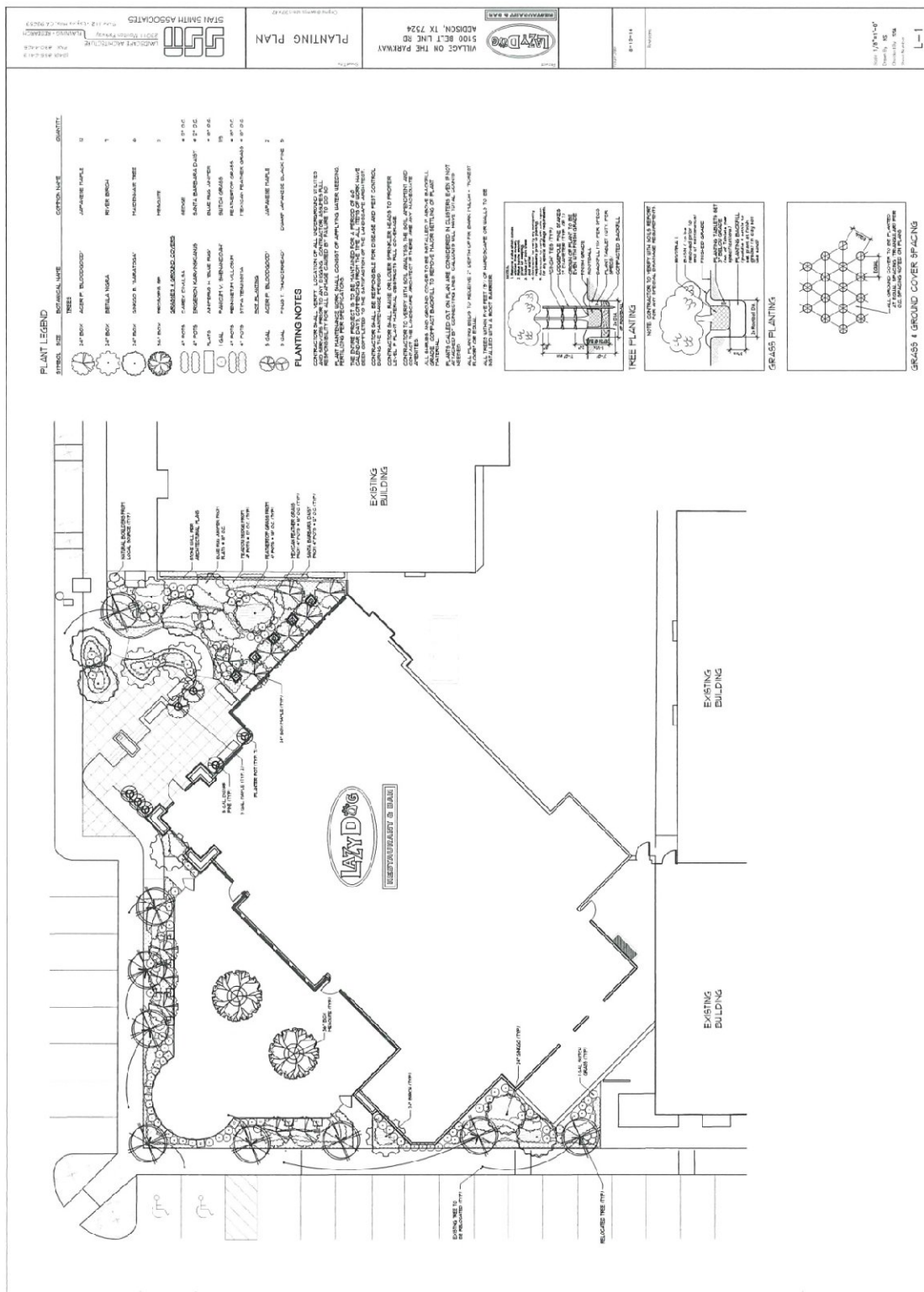


EXHIBIT A



AI-1060

R2e

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: Infrastructure- Development Services

Council Goals: N/A

AGENDA CAPTION:

Approval of Ordinance No. O14-028 changing the zoning on property located at 15103 Surveyor Boulevard (Bitter Sisters Brewing Company), which property is currently zoned I-1, Industrial-1, by authorizing for that property a Special Use Permit for a microbrewery and a Special Use Permit for the sale of alcoholic beverages, limited to beer only, for on-premises consumption only, subject to no conditions.

BACKGROUND:

This item is to formally adopt the zoning ordinance for Case 1697-SUP/Bitter Sisters Brewing Company. This case was originally heard by the City Council on July 8, 2014 where it was unanimously approved.

The ordinance is coming to Council due to a change in the City Attorney's process for how the Town adopts ordinances. Historically, the Town has conducted the zoning case and staff then drafted the ordinance based on Council's direction after the case was approved. It was then signed by the Mayor and became official. Under the new process, the City Attorney advises that the Council should review and approve the ordinance at the same time as the consideration of the zoning case.

Therefore, going forward, the ordinance will come to Council concurrently as part of the zoning case. In order to facilitate this change, we are bringing back for Council's approval the ordinances for zoning cases starting in June, 2014. No changes have been made to these ordinances or as part of the case; this is just done as a technical step to formally adopt the new zoning ordinance. The Council will see several of these on the consent agenda over the next few Council meetings.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 014-028

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS AS HERETOFORE AMENDED TO GRANT SPECIAL USE PERMITS FOR A MICROBREWERY AND THE SALE OF ALCOHOLIC BEVERAGES LIMITED TO BEER ONLY FOR ON-PREMISES CONSUMPTION, ON APPLICATION OF BITTER SISTERS BREWING COMPANY, LLC, FOR PROPERTY LOCATED AT 15103 SURVEYOR BOULEVARD; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the property located at 15103 Surveyor Boulevard is zoned Industrial-1 (I-1); and

WHEREAS, in 2013, the Texas Legislature adopted legislation to encourage and regulate the craft brewing industry within the state; and

WHEREAS, the City Council of the Town of Addison amended the Comprehensive Zoning Ordinance to allow microbreweries; and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

Section 2. That a Special Use Permit authorizing a microbrewery use and a Special Use Permit authorizing the sale of alcoholic beverages limited to beer only, for on-premises consumption, on the property located at 15103 Surveyor Boulevard, are hereby granted.

- (a) Prior to the issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan and floor plan, which are attached hereto as **Exhibit A** and made a part hereof for all purposes.

Section 3. That the microbrewery use authorized herein shall be operated in accordance with all provisions of the Texas Alcoholic Beverage Code, as amended.

Section 4. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

Section 5. That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

Section 6. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That this Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 8th day of July, 2014.

Todd Meier, Mayor

ATTEST:

Chelsea Gonzalez, City Secretary

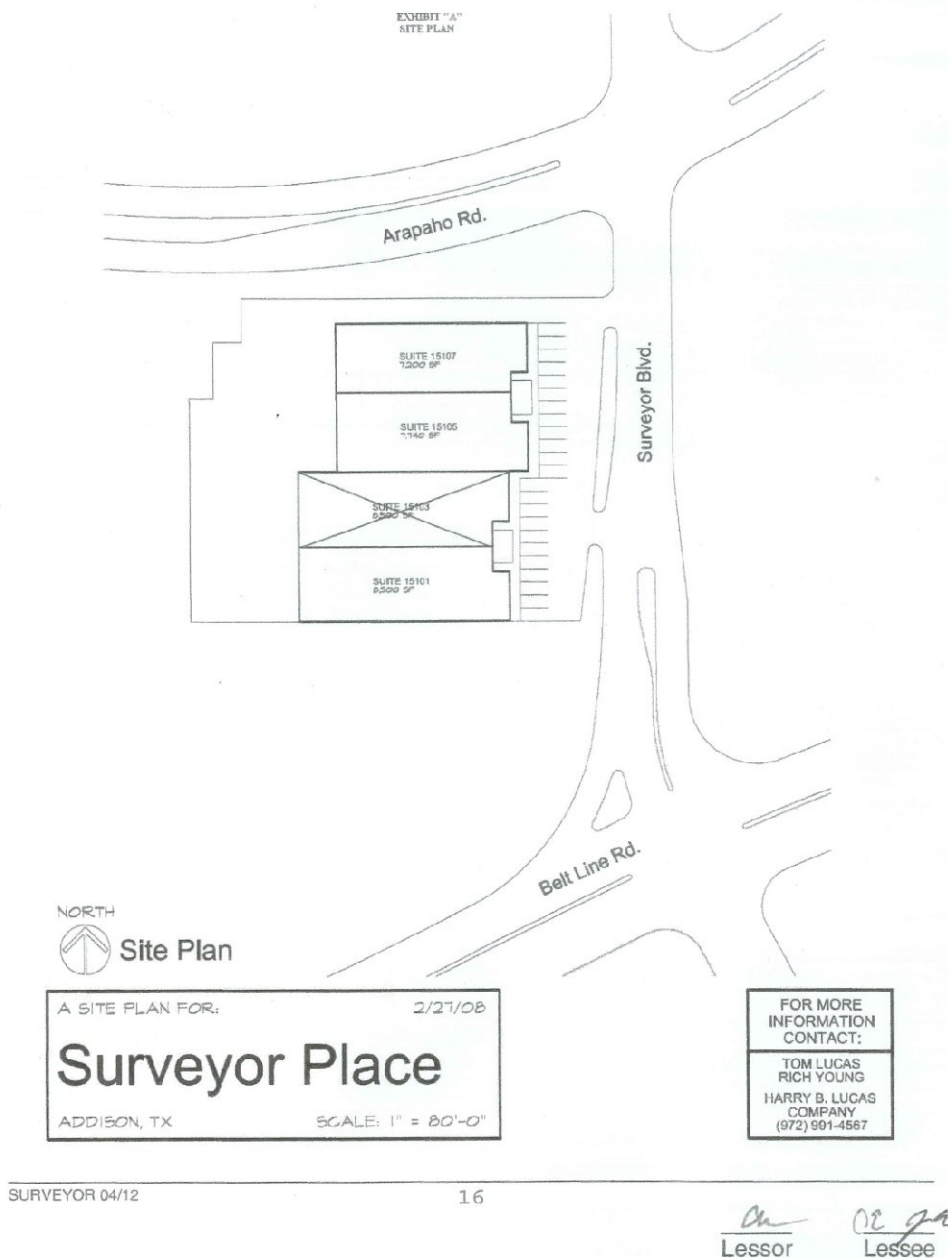
CASE NO: 1697-SUP/Bitter Sisters

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

PUBLISHED ON: _____

EXHIBIT A



[illegible]

AI-1058

R2f

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: Infrastructure- Development Services

Council Goals: N/A

AGENDA CAPTION:

Approval of Ordinance No. O14-026 changing the zoning on property located at 4900 Edwin Lewis (Hyatt House) by amending Planned Development District O94-076 in order to add restaurants, the sale of beer and wine for off-premises consumption, and the sale of alcoholic beverages for on-premises consumption only as uses that may be authorized upon the issuance of a special use permit.

BACKGROUND:

This item is to formally adopt the zoning ordinance for Case 1694-SUP/Hyatt House. This case was originally heard by the City Council on June 10, 2014 where it was unanimously approved.

The ordinance is coming to Council due to a change in the City Attorney's process for how the Town adopts ordinances. Historically, the Town has conducted the zoning case and staff then drafted the ordinance based on Council's direction after the case was approved. It was then signed by the Mayor and became official. Under the new process, the City Attorney advises that the Council should review and approve the ordinance at the same time as the consideration of the zoning case.

Therefore, going forward, the ordinance will come to Council concurrently as part of the zoning case. In order to facilitate this change, we are bringing back for Council's approval the ordinances for zoning cases starting in June, 2014. No changes have been made to these ordinances or as part of the case; this is just done as a technical step to formally adopt the new zoning ordinance. The Council will see several of these on the consent agenda over the next few Council meetings.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 014-026

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 094-076 TO ADD ADDITIONAL USES ON PROPERTY LOCATED AT 4900 EDWIN LEWIS DRIVE; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, a 4.00 acre tract of land located at 4900 Edwin Lewis Drive (the “Property”) was zoned by Ordinance No. 094-076 to allow the Property to be developed as a Summerfield Suites hotel; and

WHEREAS, the owner of the Property filed an application requesting a change in zoning on the Property for the uses and purposes as described herein; and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this amendment promotes the general welfare and safety of this community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

Section 2. That Planned Development District 094-076 is hereby amended to allow the following additional uses:

- (a) Restaurant upon the approval of a Special Use Permit; and
- (b) The sale of beer and wine for off-premises consumption upon the approval of a Special Use Permit; and
- (c) The sale of alcoholic beverages for on-premises consumption upon the approval of a Special Use Permit.

Section 3. The amendment to Planned Development District 094-076 has been made in accordance with the comprehensive plan of the City for the purpose of promoting the health, safety and welfare of the community, and with consideration of the reasonable suitability for the particular use and with a view of conserving the value of the buildings and encouraging the most appropriate use of land within the community.

Section 4. That Planned Development District O94-076 shall remain in full force and effect save and except as amended by this ordinance.

Section 5. That any person, firm, corporation, or other business entity violating any of the provisions or terms of this Ordinance shall, in accordance with Article XXVIII (Penalty for Violation) of the Zoning Ordinance, be fined, upon conviction, in an amount of not more than Two Thousand and No/100 Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Section 6. The provisions of this Ordinance are severable, and should any section, subsection, paragraph, sentence, phrase or word of this Ordinance, or application thereof to any person, firm, corporation or other business entity or any circumstance, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of the remaining or other parts or portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining parts or portions of this Ordinance despite such unconstitutionality, illegality, or invalidity, which remaining portions shall remain in full force and effect.

Section 7. That all ordinances of the City in conflict with the provisions of this Ordinance be, and the same are hereby repealed, and all other ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 8. This Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 10th day of June, 2014.

Todd Meier, Mayor

ATTEST:

Chelsea Gonzalez, City Secretary

CASE NO: 1694-PD Amendment/Hyatt House

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

PUBLISHED ON: _____

AI-1062

R2g

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: Infrastructure- Development Services

Council Goals: N/A

AGENDA CAPTION:

Approval of Ordinance No. O14-060 changing the zoning on property located at 4900 Edwin Lewis (Hyatt House) by amending Planned Development District O94-076 by approving a special use permit for a restaurant, a special use permit for the sale of beer and wine for off-premises consumption, and a special use permit for the sale of alcoholic beverages for on-premises consumption only.

BACKGROUND:

This item is to formally adopt the zoning ordinance for Case 1694-SUP/Hyatt House. This case was originally heard by the City Council on June 10, 2014 where it was unanimously approved.

The ordinance is coming to Council due to a change in the City Attorney's process for how the Town adopts ordinances. Historically, the Town has conducted the zoning case and staff then drafted the ordinance based on Council's direction after the case was approved. It was then signed by the Mayor and became official. Under the new process, the City Attorney advises that the Council should review and approve the ordinance at the same time as the consideration of the zoning case.

Therefore, going forward, the ordinance will come to Council concurrently as part of the zoning case. In order to facilitate this change, we are bringing back for Council's approval the ordinances for zoning cases starting in June, 2014. No changes have been made to these ordinances or as part of the case; this is just done as a technical step to formally adopt the new zoning ordinance. The Council will see several of these on the consent agenda over the next few Council meetings.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 014-060

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS AS HERETOFORE AMENDED TO GRANT SPECIAL USE PERMITS FOR A RESTAURANT, THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION AND THE SALE OF BEER AND WINE FOR OFF-PREMISES CONSUMPTION, ON APPLICATION OF HYATT HOUSE-ADDISON, FOR PROPERTY LOCATED AT 4900 EDWIN LEWIS; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, a 4.00 acre tract of land located at 4900 Edwin Lewis Drive is zoned as Planned Development District O94-076; and

WHEREAS, Planned Development District O94-076 authorizes certain uses only upon the approval of a special use permit; and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

Section 2. That a Special Use Permit authorizing a restaurant use, a Special Use Permit authorizing the sale of alcoholic beverages for on-premises consumption only, and a Special Use Permit authorizing the sale of beer and wine for off-premises consumption only, on the property located at 4900 Edwin Lewis, are hereby granted subject to the following conditions:

- (a) Prior to the issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan and floor plan, which are attached hereto as **Exhibit A** and made a part hereof for all purposes.
- (b) The Special Use Permit granted herein for a restaurant with the sale of alcoholic beverages for on-premises consumption only shall be limited to that particular area

designated on the final site plan as encompassing a total area not to exceed 1,631 square feet.

- (c) No signs advertising sale of alcoholic beverages shall be permitted other than those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the Town of Addison, Texas.
- (d) The sale of alcoholic beverages under this special use permit shall be permitted in restaurants. Restaurants are hereby defined as establishments which receive at least sixty percent (60%) of their gross revenues from the sale of food.
- (e) Said establishment shall make available to the city or its agents, during reasonable hours its bookkeeping records for inspection, if required, by the city to insure that the conditions of subparagraph (d) above are being met.
- (f) The sale of beer and wine for off-premises consumption shall be permitted in accordance with the Texas Alcoholic Beverage Code and as permitted and regulated in the ordinances of the Town of Addison.
- (g) Any use of property considered as a nonconforming use under the Comprehensive Zoning Ordinance of the Town of Addison shall not be permitted to receive a license or permit for the sale of alcoholic beverages.
- (h) If the property for which the special use permit is granted and is not used for the purposes for which said permit was granted within one (1) year after the adoption of this ordinance, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.
- (i) If a license or permit to sell alcoholic beverages on property covered by this special use permit is revoked, terminated or cancelled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.
- (j) The establishment shall not use the term “bar”, “tavern”, or any other terms or graphic depictions that relate to the sale of alcoholic beverages on any signs visible from the exterior of the premises.

Section 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

Section 4. That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

Section 5. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 6. That this Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 10th day of June, 2014.

Todd Meier, Mayor

ATTEST:

Chelsea Gonzalez, City Secretary

CASE NO: 1694-SUP/Hyatt House

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

PUBLISHED ON: _____

EXHIBIT A

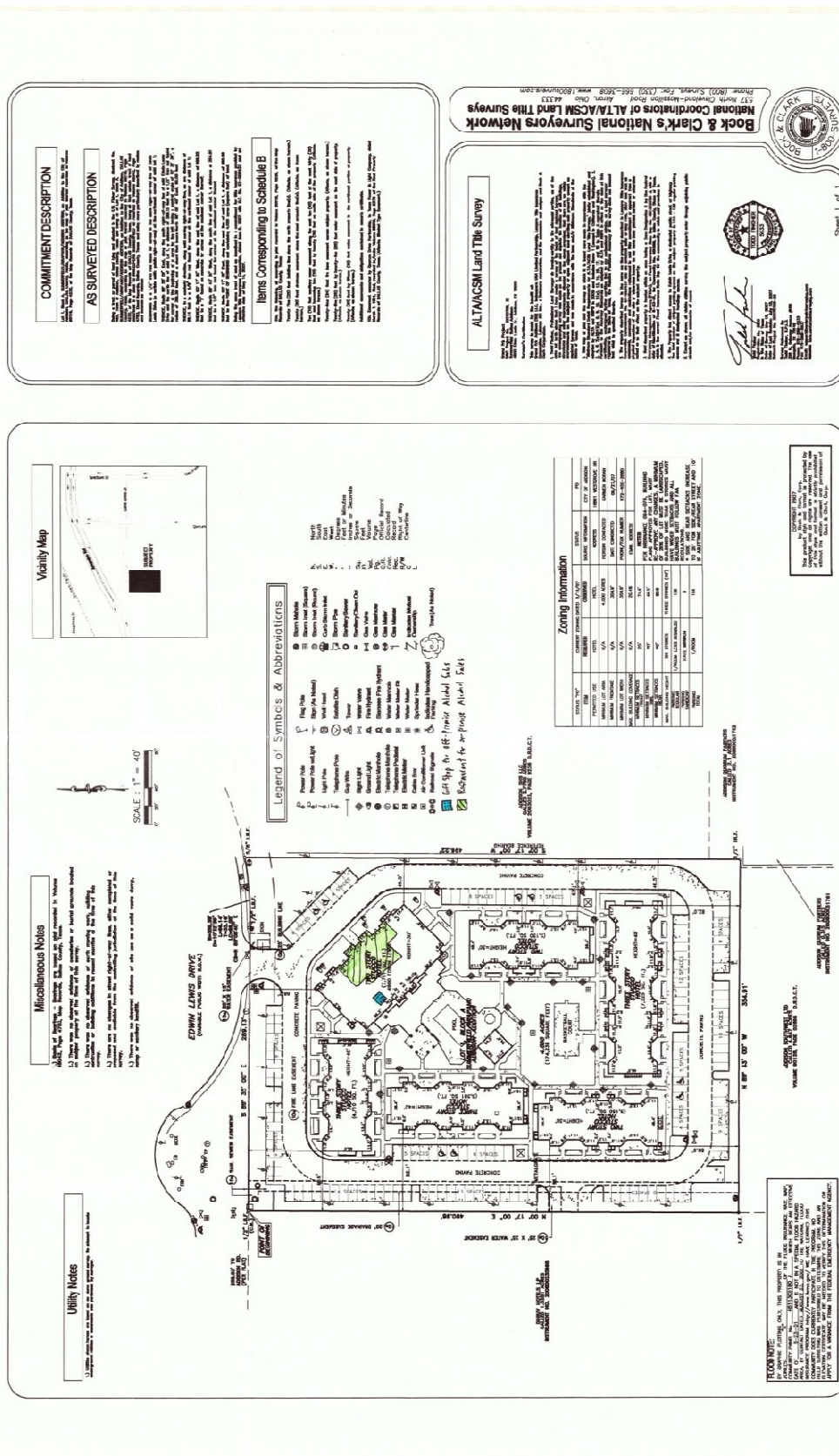
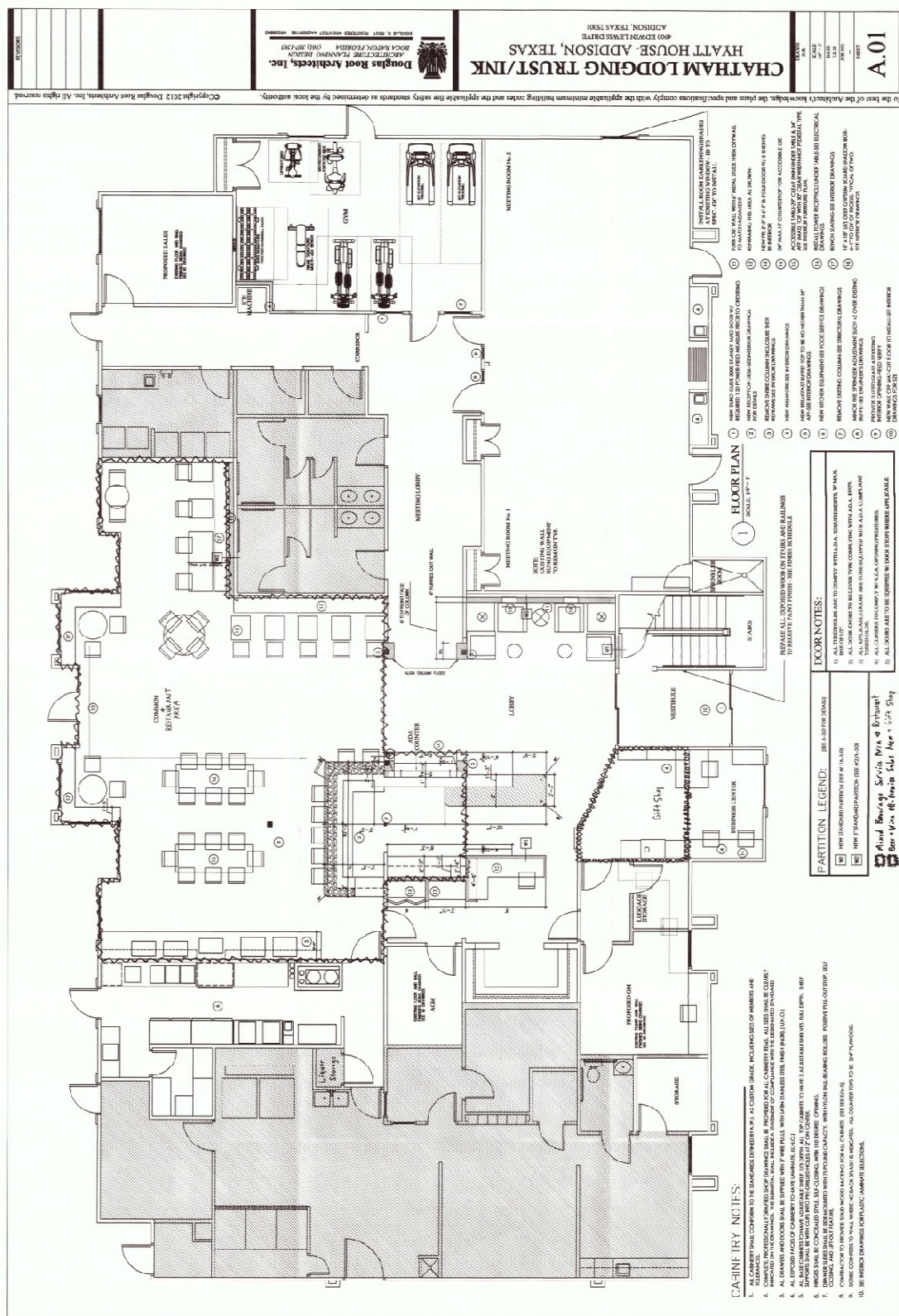


EXHIBIT A



AI-1042

R3

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: City Manager

Council Goals: Create raving fans of the Addison Experience.

AGENDA CAPTION:

Presentation and proclamation recognizing the National Volunteer Week.

BACKGROUND:

N/A

RECOMMENDATION:

N/A

AI-1051

R4

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: Council

Council Goals: Continue to attract, hire, develop, and retain great employees

AGENDA CAPTION:

Presentation and discussion regarding an update on the search for city manager.

BACKGROUND:

The City Council will discuss any updates regarding the search for the city manager.

RECOMMENDATION:

N/A

AI-1052

R5

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: City Manager

Council Goals: Continue to attract, hire, develop, and retain great employees

AGENDA CAPTION:

Discussion, consider and take action regarding a resolution approving an agreement with Strategic Government Resources (SGR) to conduct a search for the interim city manager.

BACKGROUND:

On March 28, 2015, the City Council approved a search committee composed of Mayor Meier, Council Member Carpenter, and Council Member Heape, to find an interim city manager. The committee selected Strategic Government Resources to lead the search for the position.

RECOMMENDATION:

Administration recommends approval.

Attachments

Resolution

TOWN OF ADDISON, TEXAS

RESOLUTION NO. R15-__

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TX APPROVING AN AGREEMENT WITH STRATEGIC GOVERNMENT RESOURCES FOR INTERIM CITY MANAGER SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. That the Agreement for Interim City Manager Services by and Between the Strategic Government Resources and the Town of Addison, Texas, attached hereto as **Exhibit A**, is hereby approved and the Mayor is authorized to execute the agreement.

Section 2. This Resolution shall take effect upon its passage and approval.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 14th day of April, 2015.

Todd Meier, Mayor

ATTEST:

By: _____
Chelsea Gonzalez, City Secretary

APPROVED AS TO FORM:

By: _____
Brenda McDonald, City Attorney

EXHIBIT A



Date: April 14, 2015

Agreement for Interim City Manager Services By and Between Strategic Government Resources and the Town of Addison, Texas

Town of Addison, Texas
Todd Meier, Mayor
TMeier@addisontx.gov
("Town")

Strategic Government Resources
Administration and Recruitment
CyndyBrown@GovenrmentResource.com
("SGR")

Scope of Services. The Town of Addison, Texas, (referred to as "Town") seeks an Interim City Manager to perform related duties for Town. Strategic Government Resources (referred to as "SGR") will provide a highly experienced local government professional to serve as Interim City Manager for Town.

Recommended Candidate. SGR and Town will work together to determine a final candidate for consideration. Should Town wish to consider an alternate candidate, SGR can provide other experienced local government professionals for Town to interview. In addition, if at any time during the assignment, Town wishes to have another candidate provided to serve as Interim City Manager, SGR will produce additional experienced local government professionals to fill the position, to the satisfaction of Town.

Terms and Conditions. SGR will provide an Interim City Manager based on an annualized salary and benefits amount of \$265,584.94, which for purposes of *pro rata* reference, calculates equivalent to an hourly rate of \$127.68 per hour based on a forty (40) hour work week. The Interim City Manager will work a maximum of 40 hours per week unless approved by Town. Any hours worked in excess of 40 hours per week, will be billed at the standard contract rate of \$127.68 per hour.

1. SGR will perform a Stage 2 Media Search on the candidate selected by Town and provide a comprehensive media report to Town. This media report is compiled from information gathered using our proprietary online search process. This is not an automated process, and produces far superior results than a standard media or simple Google search. The report length may be as long as 350 pages and may include news articles, links to video interviews, blog posts by residents, etc.
2. SGR will perform a comprehensive background investigation on the candidate selected by the Town. SGR uses a licensed private investigation firm for these services. Through SGR's partnership with FirstCheck, we are able to provide our Cities with comprehensive background screening reports that include detailed information such as:
 - Social Security number trace
 - Address history
 - Driving history/motor vehicle records
 - Credit report

EXHIBIT A

- Federal criminal search
 - National criminal search
 - Global homeland security search
 - Sex offender registry search
 - State criminal search (for current and previous states of residence)
 - County criminal search (for every county in which candidate has lived or worked)
 - County civil search (for every county in which candidate has lived or worked)
 - Education verification
3. Town is responsible for the cost of any pre-interim employment drug screening that Town may require.
 4. All routine business expenses incurred by SGR's representative in their role as Interim City Manager will be reimbursed under the same terms and conditions that such expenses would be reimbursed for any other employee of Town, such as mileage, hotel, and per diem when traveling at the request of Town, and business meals incurred for local meetings. Commute time will not be billed by SGR.
 5. Depending on the location of the permanent residence of the selected Interim City Manager, mileage reimbursement and/or temporary housing may be required. Mileage is reimbursed by Town at the current IRS mileage reimbursement rate. Alternatively, the Town may elect to provide temporary housing such as a local hotel, direct billed to Town, with a mileage reimbursement of once per week between Interim City Manager's permanent residence and Town.
 6. Town will be billed weekly for the previous weeks work and commuting travel reimbursement, and payment will be due within 14 days of each billing. SGR will not be compensated for holidays, vacation time, sick leave, etc.
 7. If Town hires the candidate placed as Interim City Manager for a permanent position during the term of this agreement or within 12 months after the conclusion of this agreement, Town will pay SGR an employment placement fee of \$5,000.00.
 8. Town or SGR may terminate the agreement for Interim City Manager Services with a fourteen (14) day written notice, without cause or penalty.

Cost Summary. SGR will provide Interim City Manager Services to Town as follows:

<i>Interim City Manager Services</i>	<i>\$127.68 per hour</i>
<i>Stage 2 Media Search Report</i>	<i>\$500</i>
<i>Background Investigation</i>	<i>\$300</i>
<i>Mileage/Temporary Housing Stipend</i>	<i>TBD</i>

EXHIBIT A

Confidentiality Agreement. The Interim City Manager will perform services for Town which may require Town to disclose confidential and proprietary information to Interim City Manager. Confidential information includes, but is not limited to, any information of any kind, nature, or description concerning any matters affecting or relating to Interim City Manager's services for Town, the business or operations of Town, and/or the products, projects, drawings, plans, processes, or other data of Town. The Interim City Manager, through his/her contract with SGR agrees:

- To hold any and all confidential information received from Town in strict confidence and shall exercise a reasonable degree of care to prevent disclosure to others.
- Not to disclose or divulge, either directly or indirectly, the confidential information to others unless first authorized to do so in writing by Town.
- Not to reproduce the confidential information, not use this information commercially, or for any purpose other than the performance of his/her duties for Town.
- That upon request or upon termination of his/her relationship with Town, deliver to Town, any drawings, notes, documents, equipment, and materials received from Town or originating from his/her activities for Town.
- That Town shall have the sole right to determine the treatment of any information that is part or project specific received from Interim City Manager, including the right to keep the same as confidential and proprietary.

Indemnification. To the extent it may be permitted to do so by applicable law, Town does hereby agree to defend, hold harmless, and indemnify the designated Interim City Manager, SGR, and all officers, employees, and contractors of SGR, from any and all demands, claims, suits, actions, judgments, expenses, and attorneys' fees incurred in any legal proceedings brought against them as a result of action taken in the Interim's individual or official capacity for the Town as a contract employee and as Interim City Manager, providing the incident(s), which is (are) the basis of any such demand, claim, suit, actions, judgments, expenses, and attorneys' fees, arose or does arise in the future from an act or omission of the Interim City Manager as a contract employee of Town acting within the course and scope of the Interim City Manager's employment with Town; excluding, however, any such demand, claim, suit, action, judgment, expense, and attorneys' fees for those claims or any causes of action where it is determined that the Interim City Manager committed official misconduct, or committed a willful or wrongful act or omission, or an act or omission constituting gross negligence, or acted in bad faith; and excluding any insurance contract, held either by Town or SGR. In the case of such indemnified demand, claim, suit, action, or judgment, the selection of the Interim City Manager's legal counsel shall be with the mutual agreement of the Interim City Manager and Town if such legal counsel is not also Town's legal counsel. A legal defense may be provided through insurance coverage, in which case the Interim City Manager's right to agree to legal counsel provided for him/her will depend on the terms of the applicable insurance contract. The provisions of this paragraph shall survive the termination, expiration, or other end of this agreement and/or the Interim City Manager's employment with Town.

Venue. The venue for any disputes shall reside in Tarrant County, Texas.

Applicable law. This agreement shall be governed by the laws of the State of Texas.

EXHIBIT A

This agreement represents the full and complete agreement between Strategic Government Resources and the Town of Addison, Texas, and supersedes any and all prior written or verbal agreements. This agreement may be modified or amended only by a written instrument signed by the parties.

Approved and Agreed to, this the _____ day of April, 2015, by and between Strategic Government Resources and the Town of Addison, Texas.

Todd Meier, Mayor
Town of Addison, Texas

Cyndy Brown, Managing Director of
Recruitment and Administration
Strategic Government Resources

AI-1045

R6

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: Infrastructure- Development Services

Council Goals: Create and implement a Comprehensive Land Use/Revitalization Plan

AGENDA CAPTION:

Public Hearing Case 1711-SUP/The Hub Sports Grill. Public hearing, discuss, consider and take action regarding ordinance approving a Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, a Special Use Permit for a billiard parlor, and a Special Use Permit for an arcade, on the property located at 4145 Belt Line Road Suite 200, on application from the Hub Sports Grill, represented by Mr. Kyle Hidell.

BACKGROUND:

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on March 17, 2015, voted to recommend approval of an ordinance changing the zoning on property located at 4145 Belt Line Road Suite 200, which property is currently zoned Local Retail, by approving for that property a Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, a Special Use Permit for a billiard parlor, and a Special Use Permit for an arcade, subject to the following conditions:

- The restaurant shall be required to provide 74 parking spaces.
- The applicant shall not use any terms or graphic depictions relating to alcoholic beverages in exterior signage.

Voting Aye: Groce, Oliver, Robbins, Robinson, Smith, Wheeler

Voting Nay: none

Abstain: Morgan

Absent: none

RECOMMENDATION:

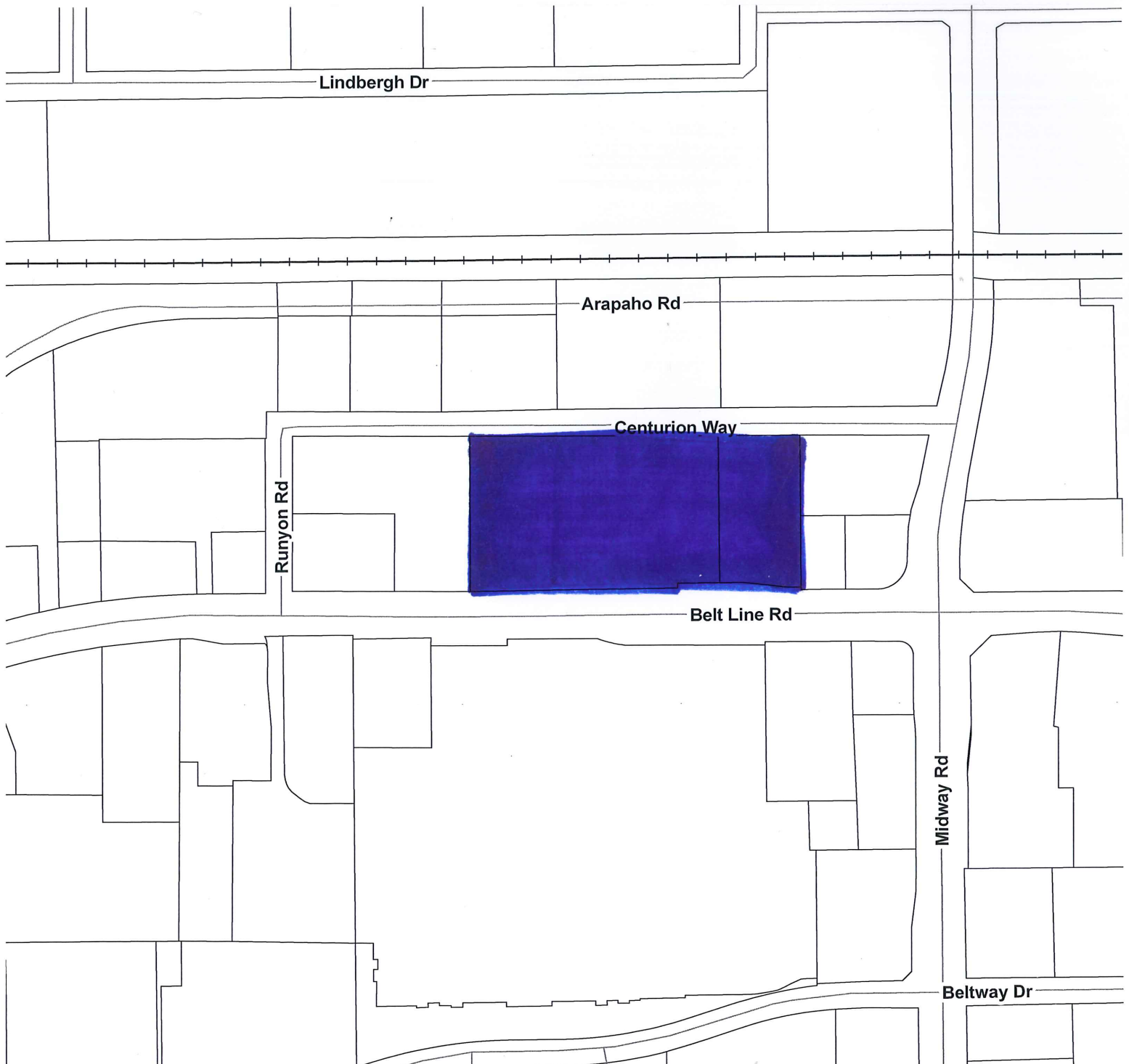
Administration recommends approval.

Attachments

Case 1711-SUP/The Hub Sports Grill Council Packet
Ordinance

1711-SUP

PUBLIC HEARING Case 1711-SUP/The Hub Sports Grill. Public hearing, discussion and consideration of a recommendation regarding an ordinance approving a Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, a Special Use Permit for a billiard parlor, and a Special Use Permit for an arcade, on the property located at 4145 Belt Line Road Suite 200, on application from the Hub Sports Grill, represented by Mr. Kyle Hidell.





March 13, 2015

STAFF REPORT

RE: 1711-SUP/The Hub Sports Grill

LOCATION: 4145 Belt Line Road Suite 200

REQUEST: An ordinance approving a Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, a Special Use Permit for a billiard parlor, and a Special Use Permit for an arcade.

APPLICANT: The Hub Sports Grill, represented by Mr. Kyle Hidell

DISCUSSION:

Background: This center was developed in 2007 and is zoned Local Retail. The Hub was approved in 2011 to occupy 5,304 square feet, including a 624 square foot patio. At that time, the City Council also approved Special Use Permits for a billiard parlor and an arcade. In Addison, more than one pool table in a commercial location requires a Special Use Permit, and arcade games require a Special Use Permit for an arcade if there are more than four games.

Proposed Plan: The Hub would like to expand into the adjacent suite and add 1,363 square feet for a new grand total of 7,291. The expansion would be used as a designated and separated smoking area that would allow the main dining area to convert to non-smoking. The addition would provide table seating for 72 and feature a bar with seating for 13. In the existing space, the pool tables would be moved to allow for a cooler to be installed that would service the new bar.

Exterior Facades: The applicant is not proposing to make any changes to the existing façade.

Parking: The restaurant uses in this center are currently parked at the mixed use ratio of 1 space per 100. The Local Retail parking regulations for restaurants are poorly worded, but have been interpreted to require that mixed use centers where the total square footage of all restaurants exceeds 40% of the total square footage of the center to convert to the standard

restaurant parking ratio of 1 space per 70 square feet, even for the existing restaurants. To staff knowledge, we have never encountered a situation where we have had a center zoned Local Retail exceed 40% restaurant.

With the proposed addition, the restaurants in this center would account for 40.29%, exceeding the 40% threshold by approximately 130 square feet. It is financially unfeasible for the property owner to add the approximately 81 parking spaces necessary to park all the restaurants at a ratio of 1 space per 70.

Staff is proposing a compromise that would allow the restaurants under the 40% threshold to remain at the 1 per 100 ratio and require the portion of the restaurant over the 40% threshold to be parked at 1 per 70. This would require a total of 74 parking spaces for this use which can be provided with the current parking available on site. There is also vacant space available behind the building to add additional parking, if necessary.

Landscaping: The property appears to be in compliance with the current landscaping standards. An inspection will occur during the construction process and any issues will need to be addressed before the certificate of occupancy is issued.

Food Service Code. There is an existing grease trap that was installed for the existing portion of the space and no new kitchen facilities are being proposed; therefore a grease trap will not be required for this addition.

Signs: The applicant should be aware that all signs must be permitted under the requirements of the Addison Sign ordinance, and cannot be approved through this process. The applicant should also be aware that the Town has a policy against the use of any terms, such as “bar” or “tavern”, or any graphic depictions that denote alcoholic beverages, in exterior signs.

RECOMMENDATION: **APPROVAL**

Staff recommends approval of the Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, a Special Use Permit for a billiard parlor, and a Special Use Permit for an arcade, subject to the following conditions:

- The restaurant shall be required to provide 74 parking spaces.
- The applicant shall not use any terms or graphic depictions that relating to alcoholic beverages in exterior signs.

Land Use Analysis

Attributes of Success Matrix

The Hub Sports Grill, 4145 Belt Line Road Suite 200

1711-SUP

Attribute	Comment	Score
Competitive	Restaurants in this center have generally faired well.	
Safe	The project will be safe.	
Functional	The floor plan indicates the restaurant will be functional.	
Visually Appealing	This center is well landscaped.	
Supported with Amenities	The site will be supported by residential, commercial, and retail uses in the area.	
Environmentally Responsible	The use does not cause any environmental issues.	
Walkable	The site is somewhat walkable. This will be improved during the Belt Line utility project.	
Overall Assessment	The Hub has been a good restaurant tenant since it opened in Addison. This expansion should help them, and the center, to continue to be successful.	

Case 1711-SUP/The Hub Sports Grill
March 17, 2015

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on March 17, 2015, voted to recommend approval of an ordinance changing the zoning on property located at 4145 Belt Line Road Suite 200, which property is currently zoned Local Retail, by approving for that property a Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, a Special Use Permit for a billiard parlor, and a Special Use Permit for an arcade, subject to the following conditions:

- The restaurant shall be required to provide 74 parking spaces
- The applicant shall not use any terms or graphic depictions relating to alcoholic beverages in exterior signage.

Voting Aye: Groce, Oliver, Robbins, Robinson, Smith, Wheeler
Voting Nay: none
Abstain: Morgan
Absent: none

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 015-008

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS AS HERETOFORE AMENDED TO GRANT SPECIAL USE PERMITS FOR A RESTAURANT, THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, A BILLIARD PARLOR, AND AN ARCADE ON APPLICATION OF THE HUB SPORTS GRILL, FOR PROPERTY LOCATED AT 4145 BELT LINE ROAD, SUITE 200; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the property located at 4145 Belt Line Road, Suite 200 is zoned as LR, Local Retail, with SUPs for a restaurant, the sale of alcoholic beverages for on-premises consumption, a billiard parlor, and an arcade; and

WHEREAS, the Hub Sports Grill is an existing restaurant that desires to expand into the adjacent lease space; and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

Section 2. That a Special Use Permit authorizing a restaurant use, a Special Use Permit authorizing the sale of alcoholic beverages for on-premises consumption only, a Special Use Permit for a billiard parlor, and a Special Use Permit for an arcade on the property located at 4145 Belt Line Road, Suite 200, are hereby granted subject to the following conditions:

- (a) Prior to the issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan and floor plan which are attached hereto as **Exhibit A** and made a part hereof for all purposes.
- (b) The Special Use Permit granted herein for a restaurant with the sale of alcoholic beverages for on-premises consumption only shall be limited to that particular area

designated on the final site plan as encompassing a total area not to exceed 7,291 square feet.

- (c) No signs advertising sale of alcoholic beverages shall be permitted other than those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the Town of Addison, Texas.
- (d) The sale of alcoholic beverages under this special use permit shall be permitted in restaurants. Restaurants are hereby defined as establishments which receive at least sixty percent (60%) of their gross revenues from the sale of food.
- (e) Said establishment shall make available to the city or its agents, during reasonable hours its bookkeeping records for inspection, if required, by the city to insure that the conditions of subparagraph (d) above are being met.
- (f) Any use of property considered as a nonconforming use under the Comprehensive Zoning Ordinance of the Town of Addison shall not be permitted to receive a license or permit for the sale of alcoholic beverages.
- (g) If the property for which the special use permit is granted and is not used for the purposes for which said permit was granted within one (1) year after the adoption of this ordinance, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.
- (h) If a license or permit to sell alcoholic beverages on property covered by this special use permit is revoked, terminated or cancelled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.
- (i) The establishment shall not use the term “bar”, “tavern”, or any other terms or graphic depictions that relate to the sale of alcoholic beverages on any signs visible from the exterior of the premises.
- (j) The restaurant shall be required to provide 74 parking spaces.

Section 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

Section 4. That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

Section 5. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 6. That this Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 14th day of April, 2015.

Todd Meier, Mayor

ATTEST:

Chelsea Gonzalez, City Secretary

CASE NO: 1711-SUP/The Hub Sports Grill

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

PUBLISHED ON: _____

EXHIBIT A

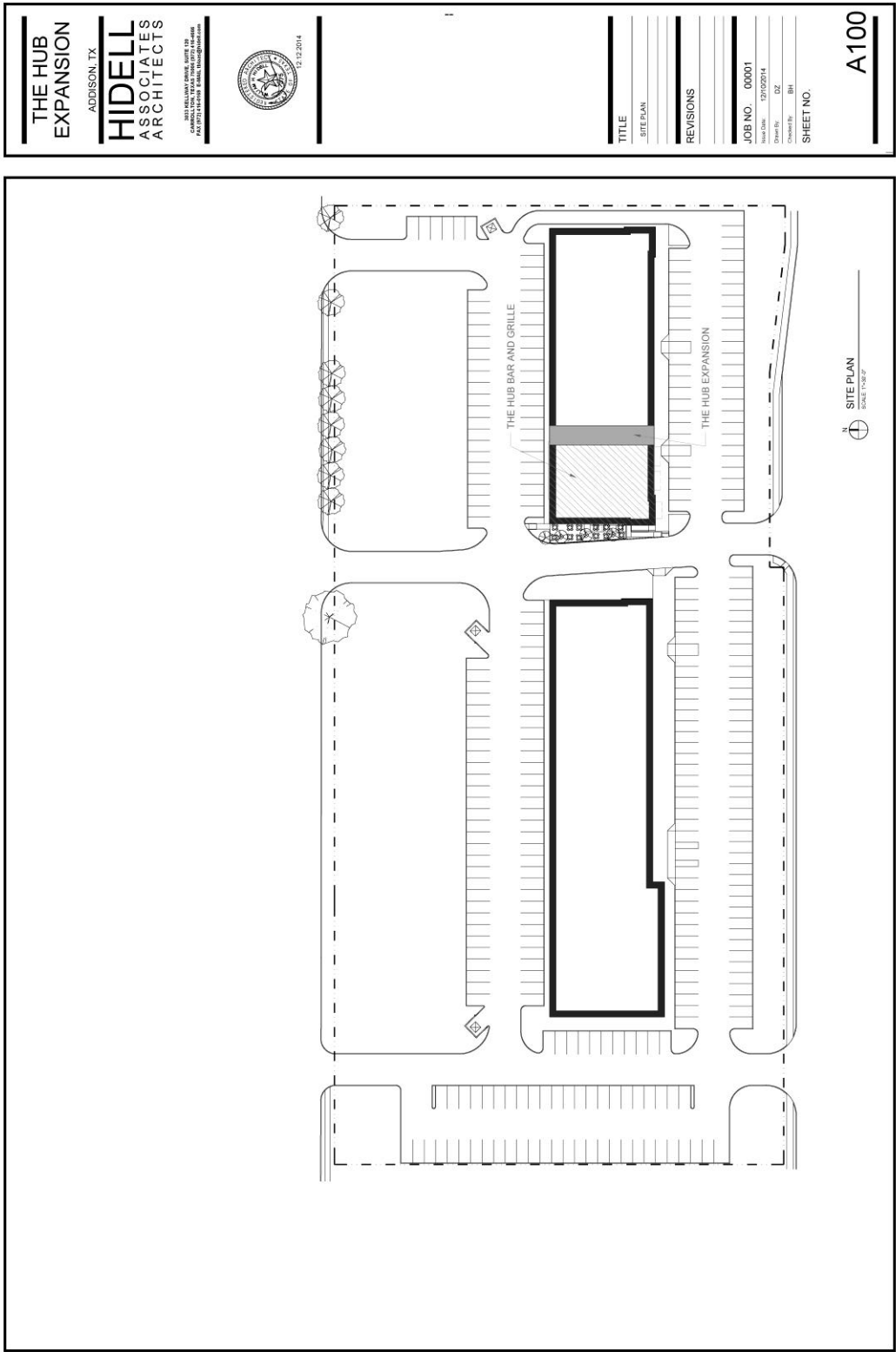
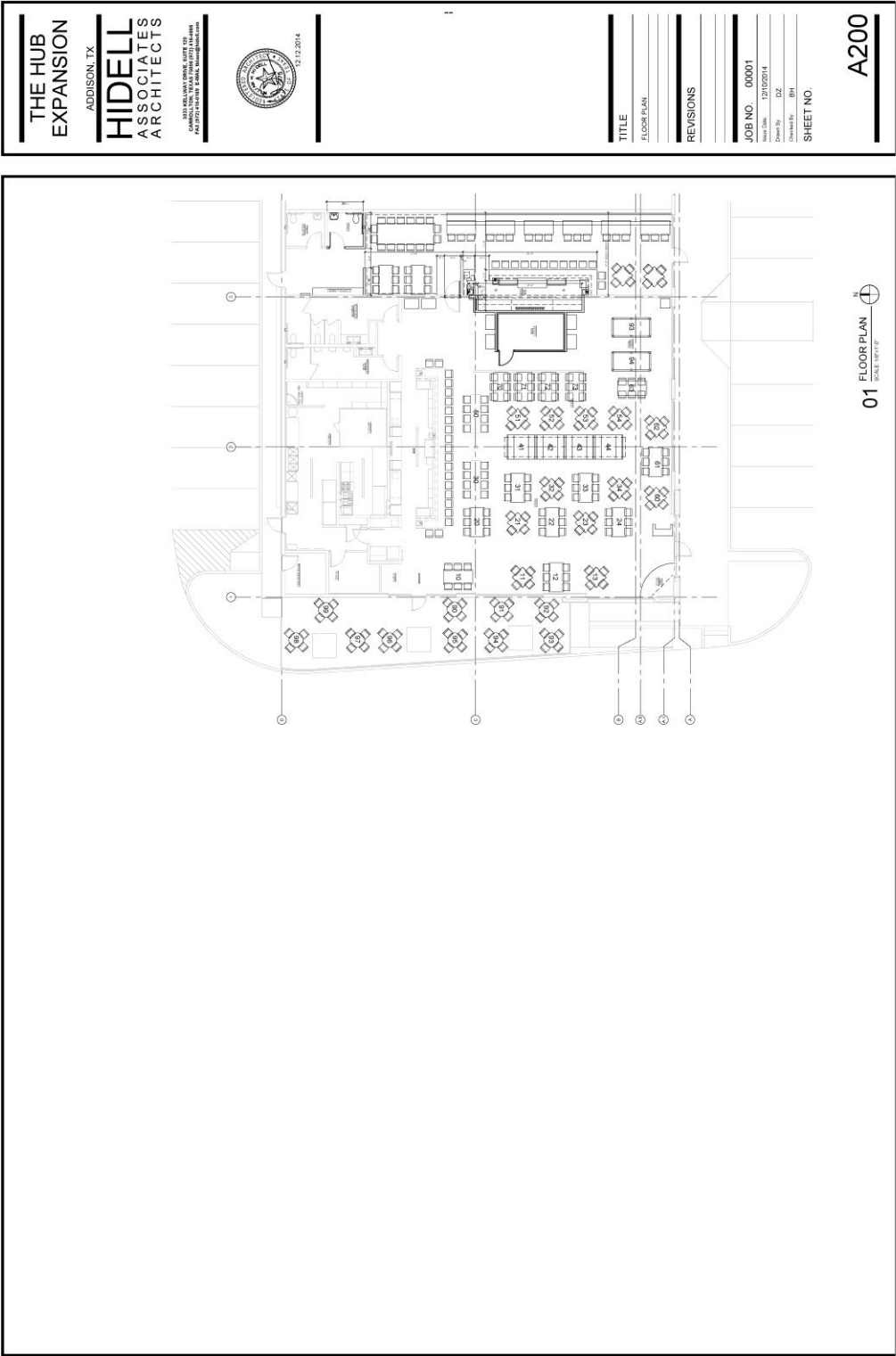


EXHIBIT A



Work Session and Regular Meeting**Meeting Date:** 04/14/2015**Department:** Infrastructure- Development Services**Council Goals:** Brand Protection and Enhancement

AGENDA CAPTION:

Present, discuss, consider and take action regarding an ordinance providing for a Meritorious Exception to the detached sign requirements in Chapter 62 Section 62-182 by allowing for an off-premises monument sign on application from MS Sub Belt Line, LLC represented by Mr. George Watson.

BACKGROUND:

Watson and Taylor is a self storage facility located at 4015 Belt Line Road. The existing detached sign for this property is a non-conforming pole sign located approximately 28 feet back of curb. The applicant states that, due to the trees that have been planted on the adjacent property, their pole sign is no longer visible. To improve visibility, they would like to take down their pole sign and install a new monument sign.

MS Sub Belt Line, LLC (Watson and Taylor) owns three separately platted lots. Two lots, including the lot where the pole sign is currently, are developed and used for the self storage facility. The remaining lot fronts Belt Line Road and is currently a small grassy undeveloped field. The applicant has requested to place their new monument sign in the middle of the undeveloped lot approximately 25 feet back of curb. Because the proposed location for the sign is on a different property from where the associated use is located, this would be considered an off-premises sign. In the Sign Code, Section 62-182. - Premises signs, states that "detached signs must be premises signs only. Off-premises signs are prohibited."

The code defines premises as "a lot or tract, or a combination of contiguous lots or tracts if the lot or tract, or combination, is under a single ownership and is reflected as a single premises in the plat records of the town." The approved plat for these properties lists them as separate lots, not a single premises. Therefore, even though they are under a single ownership, they are not considered a single premises.

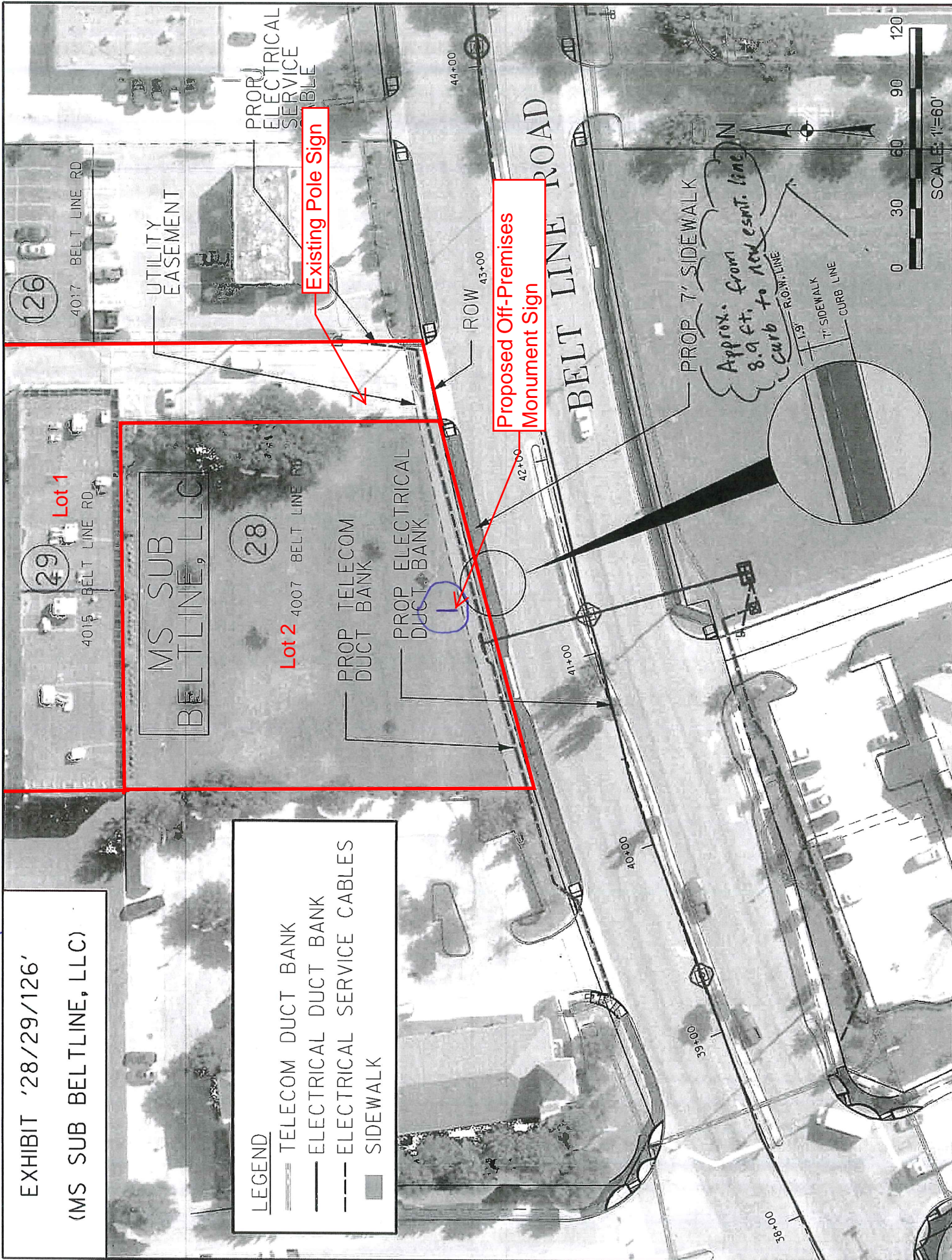
The applicant is requesting a meritorious exception to allow for an off-premises monument sign.

RECOMMENDATION:

Administration recommends denial.

Watson and Taylor Meritorious Exception Council Packet

4015 Beltline Road



4/3/2015

George S. Watson
Watson & Taylor Self Storage
4015 Beltline Road, Suite 300
Addison, TX 75001

Town of Addison City Council
5300 Belt Line Road
Addison, TX 75254

Dear Addison City Council,

Thank you for your time and consideration of Watson & Taylor Self Storage's proposed monument sign along the frontage of 4015 Beltline Rd. Since 1978 when I and my former partner built Watson & Taylor on Beltline, we have had a pole sign at the entrance to the property on Beltline. The existing sign is no longer visible from Beltline as the tree growth of the business located next door now 100% obscures the sign. Watson & Taylor Self Storage would like to remove the aged pole sign and in its place have a 6ft by 8ft monument sign on the 0.78 acre of lawn that we have in front of our buildings.

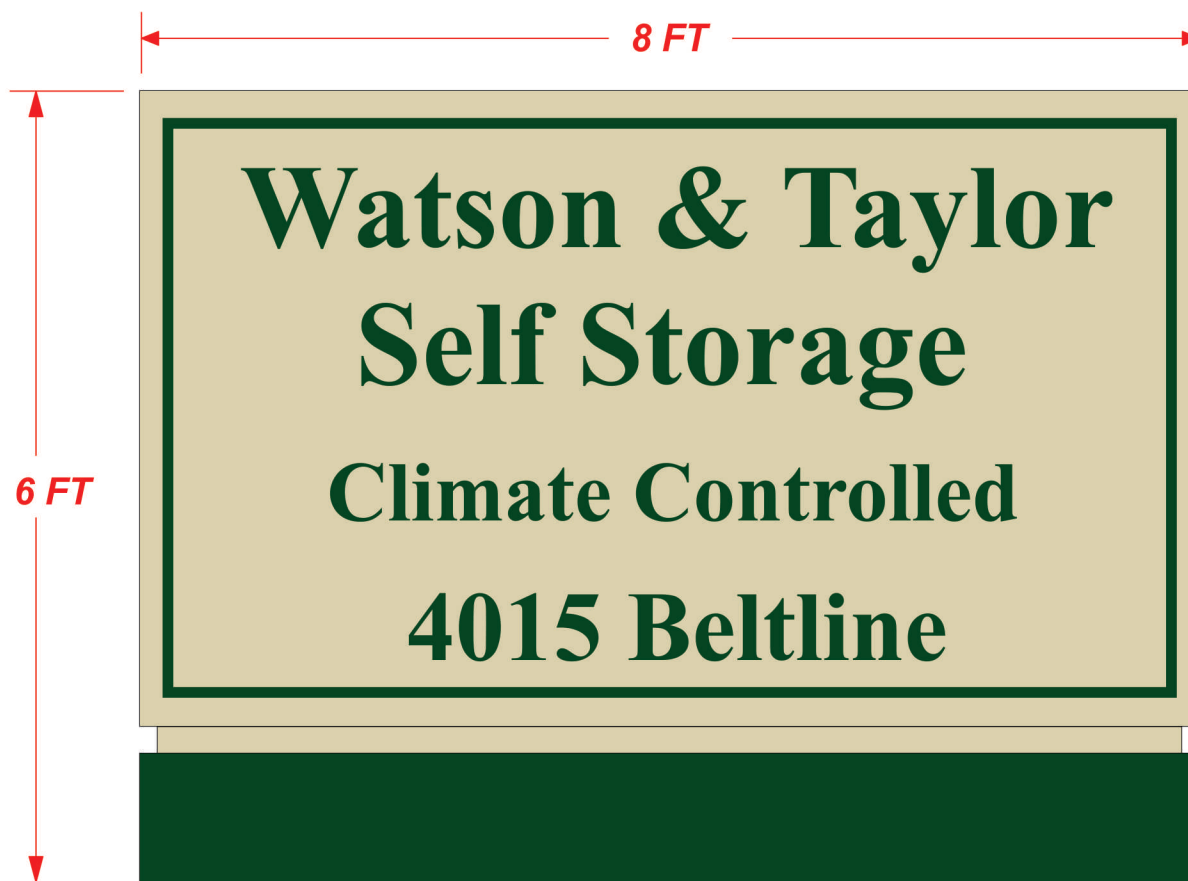
The 0.78 acre of green space is on a lot that is platted separately from the two contiguous lots where the business is operated. All three lots are under common ownership and a common deed of trust. The monument sign would sit 25 ft from the curb and 7 feet from the planned electrical easement.

Since 1978 we have enjoyed a strong partnership with the Town of Addison. In 2003 we sold over 2 acres to the Town of Addison for the construction easement for the extension of Arapaho. We have also worked closely with Addison with the current construction easement along Beltline, including 1,906 sq ft of our lawn. We look forward to continuing our strong relationship for many more years.

Respectfully,

George S. Watson
Owner and Manager, MS Sub Beltline LLC
Watson & Taylor Self Storage





Monument Sign Model # 7

Fonts used:

Times New Roman

SW 6134

SW 6454



We are happy to produce up to two free proofs with every order placed. Any proofs thereafter will be charged \$20.00 per proof and will delay the production of your order and due date. Production will begin once the final proof approval is received.

Estimate or Invoice#: 82079 Company: Watson & Taylor Contact: _____ Phone: 972-714-5284

Substrate: Monument Sign #7 Quantity: 1 Sides: 1 side Height: 48" Width: 72"

PROOF DECISION: Please Check one: ☐ Approved ☐ Changes Needed Signature: _____ Date: _____

CHANGES NEEDED: _____

Thank you for your order. We appreciate your business and enjoy working with you. WORK CANNOT PROCEED UNTIL THIS COMPLETED FORM IS RETURNED TO US. We must receive this completed proof sheet and a copy of the accompanying artwork before we can proceed with your order. I have read and understood the proofing and approval policy defined above. I have also double checked the provided proof for any and all errors. I understand that any further revisions required after this approval is received will be made at my expense.

STATE INSPECTIONS
10 MIN OIL CHANGE
BATTERY SERVICE - FLUIDS AND ADJUSTMENTS
RADIATORS AC / TIRES
TUNE - UPS
SHOCKS / STRUTS



Watson & Taylor Self Storage
Steelecreek Management
Move It Management
Green Van Lines
4015 Beltline

U-HAUL
TRUCKS & TRAILERS

\$19.95
per week
Rent This Van!
U-Haul





AI-1049

R8

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: Infrastructure- Development Services

Council Goals: N/A

AGENDA CAPTION:

Discuss, consider and take action regarding appointment of a Member to the Planning and Zoning Commission.

BACKGROUND:

Commissioner Kathryn Wheeler's third term on the Planning and Zoning Commission will expire on April 9, 2015. Commissioner Wheeler's appointment belongs to Council Member Arfsten.

RECOMMENDATION:

N/A

AI-1043

ES1

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: Airport

Council Goals: N/A

AGENDA CAPTION:

Closed (executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to seek the advice of its attorney(s) regarding pending litigation: Town of Addison, Texas v. ProAir Developments, L.P., Cause No. DC-13-15164, 14th Judicial District, Dallas County, Texas and anticipated litigation, Hunse v. Town of Addison, et. al.

BACKGROUND:

N/A

RECOMMENDATION:

N/A

AI-1038

ES2

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: Economic Development

Council Goals: N/A

AGENDA CAPTION:

Closed (Executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: 1) a shopping center lease in which the Town is the tenant at Village on the Parkway; 2) a sublease in which the Town is the sub-landlord to the Craft Guild of Dallas at Village on the Parkway; and pursuant to Section 551.071, Tex. Gov. Code, to deliberate the said lease of real property.

BACKGROUND:

N/A

RECOMMENDATION:

N/A

AI-1056

R9

Work Session and Regular Meeting

Meeting Date: 04/14/2015

Department: City Manager

Council Goals: N/A

AGENDA CAPTION:

RECONVENE INTO REGULAR SESSION: In accordance with Texas Government Code, Section 551.001, *et seq.*, the City Council will reconvene into Regular Session to take any action necessary regarding the following:

a) In accordance with Texas Government Code, Section 551.071, consultation with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: (1) pending litigation: Town of Addison, Texas v. ProAir Developments, L.P., Cause No. DC-13-15164, 14th Judicial District, Dallas County, Texas; and anticipated litigation Hunse v. Town of Addison, et. al.

b) In accordance with Texas Government Code, Section 551.071, consultation with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: 1) a shopping center lease in which the Town is the tenant at Village on the Parkway; 2) a sublease in which the Town is the sub-landlord to the Craft Guild of Dallas at Village on the Parkway; and pursuant to Section 551.071, Tex. Gov. Code, to deliberate the said lease of real property.

BACKGROUND:

N/A

RECOMMENDATION:

N/A
